



*The Judiciary, State of Hawai'i*

**Testimony to the House Committee on  
Ocean, Marine Resources & Hawaiian Affairs**  
Representative Kaniela Ing, Chair  
Representative Cedric Asuega Gates, Vice Chair

Tuesday, February 7, 2017 9:00 AM  
State Capitol, Conference Room 312

WRITTEN TESTIMONY ONLY

By

Rodney A. Maile  
Administrative Director of the Courts

---

**Bill No. and Title:** House Bill No. 863, Relating to Hawaiian Language; Hawaiian Language Web; Appropriation.

**Purpose:** Requires the Judiciary to post information on its websites in both English and Hawaiian. Appropriates funds.

**Judiciary's Position:**

The Judiciary appreciates the intent of House Bill 863, requiring the Judiciary to post information on its website in both English and Hawaiian languages. However, the bill as introduced does not appropriate any funds for this purpose. The Judiciary respectfully opposes this approach to the use of Hawaiian Language in government, to the extent it is inconsistent with the report of the Judiciary's Hawaiian Language Web Feasibility Task Force (2105 Task Force). Link to the 2015 Task Force report:

[http://www.courts.state.hi.us/docs/news\\_and\\_reports\\_docs/Final-HawaiianLangTF\\_report\\_12-17-15.pdf](http://www.courts.state.hi.us/docs/news_and_reports_docs/Final-HawaiianLangTF_report_12-17-15.pdf).

Chief Justice Recktenwald convened this task force in response to 2015 House Concurrent Resolution 217, HD1, SD1 and submitted its report to the Legislature on December 21, 2015. The Task Force's primary objective was translation of content on the Judiciary website; however, the Task Force agreed that the translation project for the Judiciary could be



used as a template for other agencies, and could also facilitate the development of state resources to assist other agencies in normalizing ‘Ōlelo Hawai‘i through translated materials. Accordingly, the 2015 Task Force identified three levels of investment to guide this Committee and others in identifying project goals, and evaluating the feasibility and prioritization of implementation actions: Ideal, Sustainable, and Core. The Task Force’s spreadsheet comparing budget proposals at each of the three levels is attached.

As part of the Feasibility Study, a Priorities Committee of the Task Force was established, comprising Judge Richard T. Bissen, Second Judicial Circuit; Moses Haia III, Esq.; Sterling Wong, and Deja Ostrowski. This working committee was tasked with identifying and prioritizing content on the Judiciary website to be provided in ‘Ōlelo Hawai‘i, and identifying resources that could support the present and ongoing translation needs of the Judiciary.

*The third (lowest level) “Core” investment scenario focused only on the immediate translation of priority content on the Judiciary website, without the development of resources for future translation activities...Meeting this core goal alone would not result in sustainable translation resources, would not be replicable at other state agencies, and would not build the capacity to translate more content over time. Instead, project completion would identify only limited content, pay per page for that content translation, and then publish the information as a one-time occurrence.*

Hawaiian Language Task Force Report, December 2015, page 9

To give life and validation to Hawai‘i’s co-official language, the 2015 Task Force urged in its report that the use of ‘Ōlelo Hawai‘i in State and local government must be broader than token phrases, more accessible in everyday life, and equally valid as the use of English. Of primary importance, the Task Force emphasized that the implementation plan at the Ideal level, described in the 2015 Task Force Report at page 16 *et seq.*, is structured to serve the needs of *all* government operations throughout Hawai‘i, not just the Judiciary’s website.

The 2015 Task Force Report noted that while a few noteworthy advances have occurred at the State level, including publication and enactment of one law in both Hawaiian and English language, to date there has not been sufficient funding to provide a program that would create an adequate number of ‘Ōlelo Hawai‘i professionals. The 2015 Task Force points to this critical shortage of language experts as the greatest barrier to the use of ‘Ōlelo Hawai‘i in conducting business throughout all of government.

The Judiciary respectfully requests that if the Legislature approves any funding for this project, such an appropriation should be in addition to the Judiciary’s current budget request contained in House Bill No. 320 and Senate Bill No. 469.

Thank you for the opportunity to testify on this measure.

**HAWAIIAN LANGUAGE TASK FORCE**  
**ESTIMATED IMPLEMENTATION COSTS**

Item	Originating Committee	Ideal Implementation Costs	Description	Sustainable Implementation Costs	Description	Core Implementation Costs	Description
Translation of website interface	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$2,222.22	Approximately 1600 words at 360 words per hours and \$500 per hours
Translation of top pages accessed by public and 'Olelo Hawai'i speakers	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$16,329.17	11757 words at 360 words per hour and \$500 per hours
Jury information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$448.61	323
Self-help Divorce general information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$270.83	195
Family Court information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$373.61	269
Circuit Court information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$213.89	154
Traffic Abstracts information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$930.56	670
District Court information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$393.06	283
Child Support information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$590.28	425
Jury service FAQs	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$5,766.67	4152
Small Claims Court information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$281.94	203
Traffic Case information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$665.28	479
Self-help Divorce How to Proceed	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$251.39	181
Ex Parte Contact	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$1,527.78	1100

**HAWAIIAN LANGUAGE TASK FORCE**  
**ESTIMATED IMPLEMENTATION COSTS**

Item	Originating Committee	Ideal Implementation Costs	Description	Sustainable Implementation Costs	Description	Core Implementation Costs	Description
Protective Order information	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$240.28	173
District Court About Filing a TRO	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$591.67	426
Divorce Facts	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$252.78	182
Family Court Protective Order	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$333.33	240
Traffic Cases in Collection FAQs	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$2,030.56	1462
HOPE Probation	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$140.28	101
Self-help Foreclosure	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$608.33	438
Self-help Landlord Tenant	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$209.72	151
Court Interpreting	Priorities Committee	\$0.00	Translation work to be included in position salary	\$0.00	Translation work to be included in position salary	\$208.33	150
Hawaiian Language Center, University of Hawai'i System: Ho'okawowo Māhele 'Ōlelo (Develop Hawaiian Translators)	Hawaiian Language Committee	See below	Establish a program to train Hawaiian translators for the State Department of the Judiciary with the intent to extend the language content to other State agencies.	See below	Establish a program to train Hawaiian translators for the State Department of the Judiciary with the intent to extend the language content to other State agencies.		

**HAWAIIAN LANGUAGE TASK FORCE  
ESTIMATED IMPLEMENTATION COSTS**

Item	Originating Committee	Ideal Implementation Costs	Description	Sustainable Implementation Costs	Description	Core Implementation Costs	Description
Two FTE positions, dedicated to Hawaiian Lexicon & Translation development (1 at UH Mānoa, 1 at UH Hilo for systemwide collaboration)	Hawaiian Language Committee	2 FTE @ \$70,000 + benefits; total \$140,000 + benefits	Administer Hawaiian translation training program consistent with Article 2 of the charter for the Hale Kuamo’o Hawaiian Language Center at UH-Hilo. Oversee research and development of Judiciary language conventions				
Director for Hawaiian Lexicon & Translation (1 FTE position), UH	Hawaiian Language Committee			1 FTE @ \$70,000 + benefits	Administer Hawaiian translation training program consistent with Article 2 of the charter for the Hale Kuamo’o Hawaiian Language Center. Oversee research and development of Judiciary language conventions.		
Graduate Research Assistant(s), UH Hilo	Hawaiian Language Committee	2 GRAs @ \$25,000 + benefits; total = \$50,000	Research, translation, and application of Hawaiian with a focus on the Judiciary website.	1 GRA @ \$25,000 + benefits	Research, translation, and application of Hawaiian with a focus on the Judiciary website.		
Graduate Research Assistant(s), UH Mānoa	Hawaiian Language Committee	2 GRAs @ \$25,000 + benefits per year; total \$50,000	Research, translation, and application of Hawaiian with a focus on the Judiciary website.	1 GRA @ \$25,000 + benefits	Research, translation, and application of Hawaiian with a focus on the Judiciary website.		
Kōmike Lekikona (Hawaiian Lexicon Committee), Hale Kuamo’o, UH Hilo operational budget	Hawaiian Language Committee	\$40,000.00	Develop and organize Lexicon Committee and Subcommittees, support Travel, meeting costs, material development, collaboration, etc.	\$40,000.00	Develop and organize Lexicon Committee and Subcommittees, support Travel, meeting costs, material development, collaboration, etc.	\$40,000.00	Develop and organize Lexicon Committee and Subcommittees, support Travel, meeting costs, material development, collaboration, etc.

**HAWAIIAN LANGUAGE TASK FORCE  
ESTIMATED IMPLEMENTATION COSTS**

Item	Originating Committee	Ideal Implementation Costs	Description	Sustainable Implementation Costs	Description	Core Implementation Costs	Description
Judiciary: Laekahi Ma'īo Kahuapa'a (Web Content Specialist)	Hawaiian Language Committee and Fiscal & Logistics Committee	\$70,000 + benefits	Oversee implementation of translated material into Judiciary websites and collaborate with language development efforts to expand Hawaiian language content on the Judiciary portals.	\$70,000 + benefits	Oversee implementation of translated material into Judiciary websites and collaborate with language development efforts to expand Hawaiian language content on the Judiciary portals.	\$70,000 + benefits	Oversee implementation of translated material into Judiciary websites and collaborate with language development efforts to expand Hawaiian language content on the Judiciary portals.
<b>SUMMARY &amp; TOTALS BY COMMITTEE</b>							
Subtotal Translation only (Core Implementation)	Priority Comm	\$0	Translation work to be included in position salary	\$0	Translation work to be included in position salary	\$34,880	21 pgs
Subtotal Funding to UH-Mānoa & UH-Hilo, personnel and support of Lexicon Committee (travel & meeting cost)	Hawaiian Language Committee	\$280,000	UH: 2 FTE (1 @ UHM, 1 @ UHH); 4 GRAs (2 @ UHM, 2 @ UHH) = \$240,000; plus Lexicon Committee support @ \$40,000 - no benefits for Committee	\$160,000	UH: 1 FTE Director; 2 GRAs (1 @ UHM, 1 @ UHH) = \$120,000; plus Lexicon Committee support @ \$40,000 -no benefits for Committee	\$40,000	Lexicon Committee support - no benefits for Committee
Subtotal Funding to Judiciary	Hawaiian Language Committee	\$70,000	Web content specialist position in Judiciary 1 FTE @ \$70,000	\$70,000	Web content specialist position in Judiciary	\$70,000	Web content specialist position in Judiciary
B&F expense; benefits for positions (42% of salary per W. Machida)	Fiscal & Logistics	\$130,200	Benefits for UH positions: \$100,800 and Judiciary position: \$29,400	\$79,800	Benefits for UH positions: \$50,400 and Judiciary position: \$29,400	\$29,400.00	Benefits for Judiciary position: \$29,400
<b>TOTAL ESTIMATED IMPLEMENTATION COST</b>		<b>\$480,200</b>		<b>\$309,800</b>		<b>\$174,280</b>	
<b>Implementation Level</b>		<b>Ideal</b>		<b>Sustainable</b>		<b>Core</b>	

Center for Hawaiian Sovereignty Studies  
46-255 Kahuhipa St. Suite 1205  
Kane'ohe, HI 96744  
Tel/Fax (808) 247-7942  
Kenneth R. Conklin, Ph.D. Executive Director  
e-mail [Ken\\_Conklin@yahoo.com](mailto:Ken_Conklin@yahoo.com)  
Unity, Equality, Aloha for all



To: HOUSE COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Re: HB863 RELATING TO THE JUDICIARY.

Requires the Judiciary to post information on its websites in both English and Hawaiian. Appropriates funds.

For hearing on Tuesday February 7, 2017

TESTIMONY IN OPPOSITION

The description of HB863 says that this bill "requires the Judiciary to post information on its websites in both English and Hawaiian" and "Appropriates funds." However, no amount of money is specified for the appropriation.

The bill begins by reminding us that Hawaiian and English are both official languages of our state. This is true. But it is also true that

probably every adult who can read and comprehend Hawaiian can also read and comprehend English, and in nearly all cases their fluency in English is higher than their fluency in Hawaiian. This is especially true for attorneys, and also for students in law school.

Requiring a website to be written in both languages is merely a stunt with virtually no practical usefulness. It's similar to a child who yells "Hey Mom, look at me" when he does a cannonball into the swimming pool. The main consequence of this bill is to provide employment to professors of Hawaiian language and to their current or former students.

A far greater number of people would be served by making Judiciary webpages available in Ilocano, Tagalog, Korean, or Japanese.

Before giving further consideration to this bill, a cost/benefit analysis should be done.

For every webpage it is possible to place a counter on it to keep track of how many times the webpage was visited, and for what length of time. For example, the Honolulu Star-Advertiser should be asked how many people visit the weekly Hawaiian-language column online on Saturdays and stay engaged for at least 2 minutes, compared with how many visit similar columns on Saturday for at least 2 minutes such as Editorial, Letters to Editor, and other opinion columns.

Counters can also be used to measure how many people choose the English message vs. how many choose the Hawaiian message on voicemail telephone systems which provide information about hours of operation and travel directions for places like Bishop Museum, The Bus, Hawaiian Airlines, etc.



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 3, 2017 9:32 PM  
**To:** omhtestimony  
**Cc:** blawaiianlvr@icloud.com  
**Subject:** Submitted testimony for HB863 on Feb 7, 2017 09:00AM

**HB863**

Submitted on: 2/3/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
De MONT R. D. CONNER	Ho'omana Pono, LLC.	Support	Yes

Comments: We FULLY SUPPORT this bill! We should have had this law in place since 1978-79, following the Con-Con. We greatly respect & admire the author of this bill, in making this bold & PONO move.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 6, 2017 8:37 AM  
**To:** omhtestimony  
**Cc:** nakoolaniw@gmail.com  
**Subject:** \*Submitted testimony for HB863 on Feb 7, 2017 09:00AM\*

**HB863**

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nako'olani Warrington	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 5, 2017 10:27 PM  
**To:** omhtestimony  
**Cc:** mkhan@hawaiiantel.net  
**Subject:** Submitted testimony for HB863 on Feb 7, 2017 09:00AM

**HB863**

Submitted on: 2/5/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leimomi Khan	Individual	Support	No

Comments: Aloha, Please pass HB 863 that would require the Judiciary to post information on its websites in both English and Hawaiian in support of Hawaiian being one of the official languages of Hawaii and recognizing that there is a growing population of Native Hawaiian language speakers who are now electing to use their native language in their daily lives.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, February 4, 2017 4:55 PM  
**To:** omhtestimony  
**Cc:** rw@worldspot.com  
**Subject:** Submitted testimony for HB863 on Feb 7, 2017 09:00AM

**HB863**

Submitted on: 2/4/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rob Weltman	Individual	Support	No

Comments: Hawaiian should be available as an official language in all governmental contexts.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 3, 2017 3:28 PM  
**To:** omhtestimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for HB863 on Feb 7, 2017 09:00AM\*

**HB863**

Submitted on: 2/3/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

HB 863  
Testimony Presented Before the  
House Committee on Ocean, Marine Resources & Hawaiian Affairs on  
Tuesday February 7, 2017 at 9:00AM

Aloha e ka Luna Ho‘omalua Kaniela Ing me ka Hope Luna Ho‘omalua  
Cedric Asuega Gates, a me nā Lālā o ke kōmike:

.  
Kāko‘o piha au i ka SB 863. I am I full support of SB 863.

**LATE**

Nearly two years ago I served on the Judiciary Committee to respond to House Concurrent Resolution 217. Our report transitioned into House and Senate Bills and made it up until the Way and Means and Finance Committees where it ended. One positive outcome was the recognition of the Office of Hawaiian Affairs representative on the Judiciary Committee regarding the work that would need to be carried out as reported by the Hawaiian Language Committee that I served on and the OHA representative making it possible to provide a small exploratory grant of \$25,000 to the College of Hawaiian Language, UH Hilo, to explore what it would take to translate English web language for potentially all Hawai‘i State offices. That OHA project was recently completed this past December and I am sure the College’s OHA project report entitled “Ho‘okawowo” is available for your purview. If I can be of any assistance, please do not hesitate to contact the College of Hawaiian Language, UH Hilo.

E Ola Ka ‘Ōlelo Hawai‘i.

Larry L. Kimura  
Associate Professor, Ka Haka ‘Ula O Ke‘elikōlani College of Hawaiian  
Language  
University of Hawai‘i at Hilo



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 6, 2017 1:42 PM  
**To:** omhtestimony  
**Cc:** kanoelani@ahapunaleo.org  
**Subject:** Submitted testimony for HB863 on Feb 7, 2017 09:00AM

**HB863**

Submitted on: 2/6/2017

Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Kawaiaea-Harris	Individual	Support	No

Comments: I am in full support of SB 863, requiring the Judiciary to post information on its websites in both English and Hawaiian.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)