



The Judiciary, State of Hawai‘i

Testimony to the Twenty-Ninth State Legislature, 2017 Session

Senate Committee on Judiciary and Labor
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Wednesday, February 8, 2017, 9:10 a.m.
Room 016

by
W. Tom Mick
Policy and Planning Department Director

Bill No. and Title: Senate Bill No. 469, Relating to the Judiciary.

Purpose: To provide biennium operating and capital improvement appropriations for FYs 2018 and 2019.

Judiciary's Position:

The Judiciary strongly urges your support of Senate Bill No. 469, which reflects the Judiciary's resource requirements for FYs 2018 and 2019.

The Judiciary recognizes that 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 has recently 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 and that general fund revenues may be less than expected. We are also very cognizant that we are competing for general funds 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 requirements related to past legislation and to its most pressing needs, primarily in the areas of essential staffing for court operations and client services. Specifically, with these factors in mind, the Judiciary is requesting 34 new permanent positions and additional funding of \$2.3 million for FY 2018, and



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37 positions and \$3.2 million for FY 2019, some 1.4% and 2% more, respectively, than our current budget base of \$163 million.

Relative to past legislation, \$355K is being requested in FY 2018 and \$717K in FY 2019 to cover the annual two percent salary increase for justices and judges set by the 2013 Commission on Salaries. Another \$6K in FY 2018 and \$12K in FY 2019 is needed for the salaries of the Administrative Director and Deputy Administrative Director of the Courts based on a bill passed during the 2014 legislative session that established a mechanism to adjust their pay.

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 and Fiscal Account Clerk position; to First Circuit which is requesting additional 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 Court judge, respectively, as well as related support staff.

The Staff Attorney position is for the Intermediate Court of Appeals (ICA) and would cost \$54K in FY 2018 and \$99K in FY 2019. With the restructuring of the appellate court system in 2006, almost all appeals are filed with and resolved in the first instance by the ICA. The number of appeals and motions filed has been increasing, as has the complexity and fundamental importance of the appeals, which together impose greater demands on judicial resources and the need for an additional Staff Attorney position. Indeed, since the restructuring, the ICA's appeals caseload has almost doubled and its motions caseload has increased by more than ten times. Courts of Appeal are also requesting a no-cost conversion of the temporary Fiscal Account Clerk position to permanent status. This is to help ensure service level continuity in the two person Fiscal Office in the event the permanent Fiscal Office retires, resigns, or is on extended leave of absence for any reason, and thereby avoid leaving the office and its responsibilities in the hands of a temporary position, SR-11, Fiscal Account Clerk.

Funding of \$161K in FY 2018 and \$316K in FY 2019 is being requested by First Circuit for a District Family Court judge and related staff positions provided by the 2007 Legislature. This would help address the heavy Family Court workload and the continual increase in the number and complexity of Family Court cases, as well as the backlog and delays in scheduling/hearing cases. Domestic Division cases have increased from 6,700 in FY 2014 to 7,300 cases in FY 2016 and Special Division cases (which include Temporary Restraining Orders (TROs), paternity, and adoption) have gone from 8,700 cases to 9,200 over this period.



Second and Fifth Circuits are requesting an additional District Court judge and District Family Court judge, respectively, along with staff to address workload issues, case complexities, delays in scheduling and hearing cases, and the additional time required to handle the increasing numbers of self-represented litigants. For Second Circuit, the last District Court judge was added in 1982, more than 33 years ago, and the population in Maui County has more than doubled from 77,000 to 165,000 since then. New criminal filings in Maui County have increased from about 2,900 in FY 2011 to 4,300 in FY 2016, and traffic filings from 21,700 to 27,500. A new judge would also help address the growing needs and case numbers of the rural communities (Hāna, Lānaʻi, Molokaʻi) that are currently underserved. Fifth Circuit has only one District Court judge and one District Family Court judge, with the last judge being added in 1984. Compared to the Second Circuit on Maui and the Third Circuit on the Big Island, the current Kauai Family Court caseload per judge is much higher; specifically, for FY 2016, the one Family Court judge on Kauai was responsible for more than 6,400 cases as compared to 2,300 and 2,800 cases per Family Court judge in Second and Third Circuits, respectively. Funding requested for the Second Circuit judge and staff is \$177K in FY 2018 and \$306K in FY 2019, and for the Fifth Circuit judge and staff is \$165K in FY 2018 and \$316K in FY 2019.

For client services, special management emphasis has been placed on those requests related to clients with mental health issues, veterans, clients of our specialty courts, and those affected by domestic violence. In the mental health area, First Circuit is requesting three positions costing \$88K in FY 2018 and \$152K in FY 2019 to create a mental health unit, and for additional funding of \$75K each fiscal year for mental health assessments and related client services. This unit would provide services and intensive supervision to not only Mental Health Court clients but also conditional release clients with severe mental illness and other general population clients that are dual diagnosed with mental health and drug addiction issues. 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, reduce recidivism, increase public safety, and decrease dollars spent on incarceration and hospitalization. Fifth Circuit is also requesting two positions in this area – one for its Presentence Investigation Unit that would primarily specialize in conducting interviews for mental health examinations and the other for its Specialized Services Unit to supervise all conditional release clients.

Relative to veterans, and to replace expired grant funding, \$244K in purchase of service contract funding is being requested by First Circuit to provide Veterans Treatment Court (VTC) clients on probation with temporary housing and residential substance abuse and mental health treatment not funded by the Veterans Administration or other agencies. To date, all 38 clients admitted to the VTC have had mental health issues and needed supportive housing and treatment. In Third Circuit, VTC grant funding expires in November 2017 so it is requesting \$51K in FY 2018 and \$102K in FY 2019 for one social worker position for Kona and one for Hilo to continue the program and accommodate 20 veterans at each location, and an additional



\$120K each fiscal year for evaluation, mental health and substance abuse treatment, and urinalysis testing. A Probation Supervisor position costing \$29K in FY 2018 and \$57K in FY 2019 is also being requested to oversee both VTC and Big Island Drug Court operations in West Hawai'i. Currently, 70 adults and 12 juveniles are in the Big Island Drug Court in West Hawai'i and 12 in the VTC.

Funding and positions are being requested for two specialty courts/programs to replace grant funding that is ending early FY 2018 and sustain them as permanent programs within the Judiciary. One request is for a Coordinator position and a Case Manager position costing \$61K in FY 2018 and \$118K in FY 2019 for the Driving While Impaired (DWI) Court, as well as funding of \$78K each year for program supplies and equipment, and electronic monitoring, incentives, and treatment services for the offenders as necessary. The DWI Court currently has 10 active participants and 33 successful graduates to date, and was honored with the National Highway Traffic Safety Administration's top national award for public service at its 2015 Lifesavers Conference. The Hawai'i Zero to Three program, which focuses on the needs and well-being of especially vulnerable toddlers and infants who have been removed from parental custody due to abuse and/or neglect, is requesting \$27K in FY 2018 and \$51K in FY 2019 for a Case Manager position which is critical to providing specialized case management while fostering a coordinated team approach to early intervention services for these very young children. This program is currently servicing 15 families and 31 children, and since 2008 when the program began, 57 families and 93 infants/toddlers have been served. First Circuit is also requesting a no-cost conversion of seven temporary positions in Girls Court to permanent status to provide permanency and stability to the Court and make it easier to recruit and retain people for these positions, some of which have experienced high turnover. Since its inception in 2004, 458 girls have completed the Girls Court program.

Lastly in the client services area, First Circuit is requesting three positions for its TRO unit, and Second Circuit three positions for its Adult Client Services Branch. The additional staffing costing \$71K in FY 2018 and \$133K in FY 2019 for the TRO unit is needed to address greatly expanded hours and coverage for the intake and processing of TROs in domestic violence cases both in its Honolulu and Kapolei locations. Second Circuit needs one additional Social Worker Probation Officer each in its Presentence Investigation, Special Services, and Domestic Violence Units to reduce caseload to a more manageable size; i.e., from 183 to 157 cases in the Presentence Investigation Unit, from 133 to 110 cases in the Special Services Unit, and from 202 to 162 cases in the Domestic Violence Unit. These three Social Workers would cost \$91K in FY 2018 and \$152K in FY 2019.

Our last two general fund biennium budget requests relate to the Kona Judiciary Complex and our Human Resource management system. Three facilities related positions costing \$49K in FY 2019 are being requested for the new Judiciary Complex in Kona. People would be hired to



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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. The Judiciary's Human Resource Management System, PeopleSoft, needs to be upgraded to version 9.2 at a cost of \$351K; 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 PeopleSoft software vendor has indicated that it will provide extended support for this version through December 2027 and provide all patches for the software.

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 Kapuwa 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 most importantly 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 proposed biennium budget is the Judiciary's best estimate of the resources necessary to maintain the integrity of the courts and to fulfill our statutory, constitutional, and public service mandates. The Judiciary respectfully requests your support of Senate Bill No. 469, the Judiciary's biennium budget request.

Thank you for the opportunity to testify on this measure.



Mothers Against Drunk Driving HAWAII
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hi.state@madd.org

February 8, 2017

To: Senator Gilbert Keith-Agaran, Chair, Senate Committee on Judiciary and Labor; Senator Karl Rhoads, Vice chair; and members of the Committee

From: Arkie Koehl, Chair, Public Policy Committee, MADD Hawaii

Re: Senate Bill 469, Relating to the Judiciary

I am Arkie Koehl, offering testimony on behalf of the Hawaii Chapter of Mothers Against Drunk Driving in support of permanent funding for the successful DWI Court Program. The program is voluntary, primarily targeted at offenders with prior OVUII convictions. It includes regular court appearances before a designated DWI Court Judge, coordination by a Case Manager, alcohol and drug testing, group counseling and regular attendance at self-help meetings.

Since the program's inception in January 2013 through the end of January 2017, the DWI Court Program has graduated 34 participants with only one graduate reoffending for a **2.9%** recidivism rate for subsequent drunk driving arrests. In comparison, there is a **21.5%** recidivism rate for subsequent drunk driving arrests among those who were eligible to apply for the DWI Court Program but chose not to screen or join.

The DWI Court Program was also the recipient of the National Highway Traffic Safety Administration Public Service Award in March 2015 in recognition of the collaborative efforts to reduce traffic fatalities due to alcohol impaired driving.

MADD Hawaii is proud to have played an active role in the Court since its inception. We applaud the State for its support this program, which we believe has turned around the lives of its participants, and moved us toward MADD's vision of "No More Victims."

All our lives and property have been made safer by this innovative program. It needs to continue. MADD Hawaii urges passage of Senate Bill 469.

Thank you for this opportunity to testify.

Testimony
Senate Committee on Judiciary and Labor
Hearing: Wednesday, February 8, 2017 at 9:10 am

To: The Honorable Gilbert S.C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair

From: Jeffrey W. Ng, Esq.
President, Hawai'i County Bar Association

Re: SB 469: Relating to the Judiciary

Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to submit testimony on Senate Bill 469. The Hawai'i County Bar Association (HCBA) submits this testimony in favor of Senate Bill 469.

The HCBA Board voted to support Senate Bill 469 and informed its members of its intent to support this bill unless "an overwhelming majority of HCBA members voice their disagreement." A message to the HCBA membership was sent on February 2, 2017.

The HCBA Board did not receive any comments from members and accordingly, the HCBA maintains its support of Senate Bill 469.

The new Kona Judiciary Complex will provide the entire Hawai'i Island community a modern, secure, and efficient place to settle disputes and seek justice. It is much needed and consolidates three separate courthouses into one facility. Senate Bill 469 appropriates essential funds for this complex and the HCBA Board believes that it is vital that the new Kona Judiciary Complex has all the necessary equipment and is fully operational when it is scheduled to open in 2019. According the Hawaii State Judiciary October 21, 2016, press release about the Kona Judiciary Complex Groundbreaking Ceremony, the complex will be 140,000 square feet, with three stories, five courtrooms, and other rooms to conduct court business. Funding equipment for this complex is worth the expense.

Thank you for your time and attention to this matter.

Very truly yours,


Jeffrey W. Ng



TESTIMONY

Senate Committee on Judiciary and Labor
Hearing: Wednesday, February 8, 2017 (9:10 a.m.)

TO: The Honorable Gilbert Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair

FROM: Nadine Ando
HSBA President

RE: SB469 Relating to the Judiciary (Budget)

Chair Keith-Agaran, Vice Chair Rhoads and Members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to submit testimony in SUPPORT of Senate Bill 469 Relating to the Judiciary, the proposed budget for the State Judiciary for this fiscal biennium.

Specifically the HSBA SUPPORTS items in Section 3 which requests funding for:

- (1) First Circuit Family Court Judge and staff;
- (1) Second Circuit District Court Judge and staff; and
- (1) Fifth Circuit Family Court Judge and staff

and ALL items noted in Section 5 which request funding for critically needed Capital Improvement Projects (CIP) for court facilities statewide, especially funding in the second year of the fiscal biennium for the third and final phase of the new Kona Court Complex.

As with all testimony and comments submitted by the HSBA on substantive measures introduced for possible enactment into law, the HSBA Board undertakes a two-pronged analysis of the measure consistent with Keller v. State Bar of California (469 U.S.1,14 1990). At its January meeting, the HSBA Board concluded that supporting this measure: (1) is germane to the purposes and objectives of the HSBA as this measure relates to the regulation of the legal profession and improves the quality of legal services available to the people of this State; and (2) would generally be supported by its members.

Critical to the delivery of legal services to the public by HSBA attorneys are safe, accessible and secure court facilities. Judges must be able to resolve controversies and disputes in courtrooms and offices that are conducive to candid discussions and fair hearings. The public must be able to enter secure court facilities with the knowledge that no matter what their issues or disputes are, they will be allowed to voice their concerns and arguments in a safe environment.

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TESTIMONY

The HSBA is cognizant of the multitude of competing funding requests for limited CIP resources and we believe that these requests are not frivolous or extravagant. They are basic construction projects (reroofing, and elevator and sewage systems) for the proper upkeep of existing facilities. With regard to the long awaited new Kona Court Complex, the HSBA is grateful for the Legislature's prior support for the funding of Phases I and II. This project is consistent with original cost projections and it appears that the complex will open its doors on time as scheduled, if Phase III funding is approved.

We thank you for this opportunity to submit supportive comments as previously delineated.



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Jodi S. Yamamoto, Esq.
President, Board of Directors

M. Nalani Fujimori Kaina, Esq.
Executive Director

TESTIMONY IN SUPPORT OF SB469 – RELATING TO THE JUDICIARY.

Committee on Judiciary and Labor - Room 016

Senator Gilbert S. C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

February 8, 2017 at 9:10 a.m.

The Legal Aid Society of Hawaii submits testimony in support of SB469 – Relating to the Judiciary.

We support the passage of the Judiciary budget bill, however do request that the current funding level of \$750,000 in Judiciary Program ID JUD601 be increased to \$2,159,632 in “A” funds and that it becomes a recurring budget item to purchase civil legal services for low-income and moderate-income families.

This funding would go to restoring general revenue funding for civil legal services. Civil legal services are critical in that they can provide real world solutions to help families in crisis find stability and hope. The recommendation for this funding was the result of an off-session working group in 2015 established by HR12 and SR6 which requested the Hawaii Access to Justice Commission to Assemble Various State and Community Entities to Determine which Agency or Organization should Administer Funding for Civil Legal Services to the Low- and Moderate-Income.

The Legal Aid Society of Hawai‘i and other civil legal service providers are also a good investment for the state of Hawai‘i. For every \$1 invested in civil legal services, Hawai‘i residents received a benefit of \$6.35 of immediate and long-term financial benefits. Further, for every \$1 investment in the Legal Aid Society of Hawai‘i, individually, an immediate and long-term financial benefit of \$7.97 is received.

The Legal Aid Society of Hawai‘i has provided civil legal services to the community for over 65 years. Through our eleven offices which include one on each of the major Hawaiian islands, our staff assist residents of Hawai‘i to navigate and solve basic issues which require legal interventions. In 2016, our staff of 100 closed about 8,500 cases and opened over 8,800 in legal areas ranging from family, housing, consumer, foreclosure, public benefits, elder law, homelessness, immigration, language access, and child welfare. In most of these cases, we are only able to provide legal counsel and advice or provide brief services which includes assisting with the completion of court forms and explaining the court process. Because of our limited resources, but with the additional funds that we received through the support of the legislature which allowed us to leverage more funding, we were able to assign an attorney or paralegal for representation in 18.86% of these cases or 1,588 cases, an increase of 340 cases. The provision of this funding for the purchase of additional civil legal services will go a long way to increasing the number of people in the community that we are able to assist.

Thank you for this opportunity to provide testimony.

Sincerely,

M. Nalani Fujimori Kaina
Executive Director



www.legalaidhawaii.org
A UNITED WAY AGENCY



Maui County Bar Association

P. O. Box 1595
Wailuku, Maui, Hawaii 96793

TESTIMONY

Senate Committee on Judiciary and Labor
Hearing: February 8, 2017

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TO: The Honorable Gilbert S.C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice-Chair

FROM: Brandon Segal
President, Maui County Bar Association

RE: S.B. 469, RELATING TO THE JUDICIARY

The Maui County Bar Association ("MCBA") supports S.B. 469, which appropriates funds for the Judiciary for the fiscal biennium beginning July 1, 2017, and ending June 30, 2019. The MCBA urges the Legislature to accept the budget in its entirety, which includes funding for additional judges and staff, and Capital Improvement Projects ("CIP") for court facilities across the State.

The MCBA strongly supports appropriating funds for an additional district court judge and staff in Maui. As Chief Justice Recktenwald mentioned in his recent State of the Judiciary, the last time a district court judge was added was in 1982, and Maui's population has since more than doubled. Between 2012 and 2014, Maui County was the fastest-growing county in Hawaii, according to the U.S. Census Bureau. As the population increases, traffic and criminal case filings will continue to increase. This puts significant demands on the judges, who are overseeing what is already a saturated court calendar. In order to provide fair, timely, and efficient delivery of justice, it is critical that we continue to adapt and accommodate to our growing population.

The MCBA also strongly supports the CIP relating to Maui court facilities, specifically, design and construction for security improvements at Hoapili Hale. It is MCBA's understanding that the CIP's purpose is to address significant vulnerabilities of the Hoapili Hale courthouse that were identified by the National Center for State Courts after a comprehensive site visit and report. We must ensure the safety of judges, staff, litigants, and the public in our court facilities. Access to justice can only be provided when the venue in which court proceedings take place is secure.

The MCBA thanks you for this opportunity to submit comments in support of S.B. 469.



February 6, 2017

Sent via Email to: JDLtestimony@capitol.hawaii.gov

RE: IN SUPPORT OF SB 469

Dear Senator Gilbert S.C. Keith-Agaran, Chair – Committee on Judiciary & Labor, and all Committee Members:

Mahalo for the opportunity to present testimony in support of SB469 – RELATING TO THE JUDICIARY, which appropriates funds for the judiciary for the fiscal biennium beginning July 1, 2017, and ending June 30, 2019. Effective July 1, 2017.

I write this testimony, both personally and organizationally. I am the executive director of the Pū'ā Foundation, a 501c3 non-profit organization that connects resources to need for a better Hawaii society. We specialize in “Trauma to Transformation” and develop community resources through organizing, capacity building and training. Strengthening families affected by “Trauma” / Incarceration is a focus, as well as striving toward community and individual healing and well-being. Created out of an apology, redress and reconciliation process of the United Church of Christ related to the overthrow of 1893, Pū'ā promotes efforts toward reconciling the past to the present so that together, as a Hawaii Community, we can build a better future. Our vision is that through pū`ā, the process of feeding, nourishing, and strengthening, there will be the emergence of enlightened and empowered communities and society. We identify and strategize ideas to complex social issues and connect partnerships with key community resources to create a vehicle for change and meaningful solutions.

One such partnership is with Hawaii Girls Court (HGC). Currently we are working with HGC in a Girls Supporting Girls Project that is supported by the U.S. Dept. of Justice, Office of Juvenile Justice Delinquency Prevention, National Girls Initiative Program – Innovation Awards. Hawaii was selected as an Innovation Awardee, which Pū'ā Foundation is the named awardee. I understand that within SB469 – 7 temporary positions for staffing for HGC are going to be made permanent if the appropriate funds are made available. To continue and strengthen the great work of HGC – it is important to have adequate, well trained and supported staffing as it is imperative to have comprehensive, coordinated, and consistent gender responsive (which engenders trauma informed) services for girls involved in Family Court and their families. By allocating the appropriate funds, better, more consistent, services can continue and serve more girls and their families.

Thank you for you the opportunity to present this testimony in support of SB 469.

Very truly yours,

Toni Bissen

Toni Bissen, Executive Director

Pū'ā Foundation - P.O. Box 11025, Hon., HI 96828

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Ryan H. Engle
Board President

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Executive Director



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**TESTIMONY IN SUPPORT OF SB469
RELATING TO THE JUDICIARY**

Committee on Judiciary and Labor
February 8, 2017 at 9:10 a.m.
Room 016

SENATOR GILBER S. C. KEITH-AGARAN, CHAIR
SENATOR KARL RHOADS, VICE CHAIR

Volunteer Legal Services Hawaii strongly supports passage of SB469 – Relating to the Judiciary.

We support the passage of the Judiciary budget bill, and respectfully request that the current funding level of \$750,000 in Judiciary Program ID JUD601 be increased to \$2,159,632 in “A” funds and as a recurring budget item to purchase civil legal services to low-and moderate-income Hawaii residents.

This funding would restore general revenue funding for civil legal services in Hawaii. Civil legal, when used effectively can help reduce dependency on costly social services. Funding for civil legal aid services is an investment that not only provides our community with an important resource, but makes fiscal sense. A recent study found that for every dollar invested in civil legal services, Hawaii residents received a benefit of \$6.35 of immediate and long-term financial benefits.

Volunteer Legal Services Hawaii has been providing civil legal assistance to Hawaii residents through a partnership with volunteer attorneys and law students for over 35 years. In 2016, Volunteer Legal Services Hawaii provided over 2,600 services in legal matters affecting financial stability and housing, securing employment, and family relations to include child custody and caring for an ailing loved one. Volunteer attorneys invested over \$540,000 in pro bono hours providing direct services to individuals and families who would have otherwise gone without legal assistance from legal professionals.

Stable funding would support civil service programs like Volunteer Legal Services Hawaii to effectively maintain and expand services to low-and moderate-income Hawaii residents and families.

Thank you for the opportunity to provide testimony.

Sincerely,

Michelle D. Acosta
Executive Director





February 5, 2017

To Whom It May Concern:

The West Hawaii Bar Association, its general membership and its executive committee, by unanimous resolution, respectfully supports:

SB469: RELATING TO THE JUDICIARY
http://www.capitol.hawaii.gov/session2017/bills/SB469_.pdf

The West Hawaii Bar Association hereby submits its support of the above legislation as related to Capital Improvement Projects appropriations for the Kona Judiciary Complex at Kona, Hawaii.

We respectfully support the above legislation and request the timely funding of the Kona Judiciary Complex so that our community may make use of this much-anticipated facility. Accordingly, we support all efforts in support of this legislation. We thank you for your time, attention, and consideration of this most important matter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Michael H. Schlueter".

Michael H. Schlueter
President, West Hawaii Bar Association

THE LAW OFFICE OF CAROL S. KITAOKA, LLLC

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Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair
Committee on Judiciary and Labor

West Hawaii Bar Association

February 6, 2017

Support for S.B. No. 469, Relating to the Judiciary

As a member of the West Hawaii Bar Association and Director from West Hawaii on the Board of the Hawaii State Bar Association, I, as an individual, strongly support S.B. 469, Relating to the Judiciary. I would like to thank Senator Agaran, Senator Rhoads, the Committee on Judiciary and Labor, and the Legislature for providing the funds to build the Kona Judiciary Complex. The construction of the Kona Judiciary Complex is progressing quickly. Every time I pass the site I can see the progress.

S.B. No. 469 provides for capital improvement funds for equipment for the Kona Judiciary Complex. The Legislature has seen the acute need for a courthouse in Kona. The safety of the public, court staff, and attorneys and an efficient judicial system will be addressed when the courthouse is built. However, without equipment for the courthouse, the community will not be able to use the courthouse. The Kona community will have to continue to use the facilities we currently have which do not adequately address safety concerns. Some of the equipment in Kona are hand-me-downs from the Kauai courthouse that was sent to Kona when the new courthouse in Kauai was built.

We are requesting the Legislature to provide funding for equipment so that the Kona Judiciary Complex is functional and has the technology needed to operate efficiently in the years to come. The Kona Judiciary Complex will be completed in 2019 and we ask that the Kona community be able to use the courthouse as soon as it is completed.

I urge the Committee to pass S.B. No. 469. Thank you for the opportunity to testify.

February 3, 2017

To Whom It May Concern,

I am writing in support of (SB) 469 for the conversion of seven Girls Court (GC) positions from temporary to permanent. In my experience as a teacher and behavioral health specialist, I have witnessed the benefit of Girls Court and the positive impact it has on court-involved girls and their families. Girls Court is an intensive program that not only works to address the needs of the young women involved in the program but also their families. The program uses a holistic approach and strengths-based approach which is gender specific and tailored to meet the unique needs of adolescent girls. Their model is one that is culturally sensitive and gender responsive.

A crucial component of providing adequate and effective services, particularly with at-risk youth, is consistency. Moving the GC positions from temporary to permanent will help to ensure consistency of services. It is difficult to ensure consistency of services when positions are temporary. Employees often desire permanent positions which offer job security. When there is a turnover in GC, the girls, their families, GC staff, and all other program partners need to reestablish a relationship with new staff. Teachers, school counselors, social workers, and other agency staff involved in the case need to reestablish a connection with new staff, and this takes time. It takes time to get new staff up to speed, but more importantly, it takes time for the girls to build rapport and a relationship with someone new. There are many individuals in the lives of these girls have come and gone, and it is detrimental to their growth and development for another trusted person to leave. At the same time, it is unfair for our us to expect that staff stay when there is more secure employment available elsewhere. If positions were permanent, staff would have more incentive to stay. As a community, we should care about the staff we entrust to provide services for our youth. For too long have we taken advantage of these good people who dedicate their lives to helping the vulnerable, underprivileged, and less fortunate. Girl's Court staff are dedicated and committed to the wellbeing and welfare of the girls they serve. As a community, we need to be dedicated and committed to supporting programs such as Girls Court as well the staff makes such programs exist.

Testifier: Christine Park

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for SB469 on Feb 8, 2017 09:10AM
Date: Thursday, February 2, 2017 3:19:06 PM

SB469

Submitted on: 2/2/2017

Testimony for JDL on Feb 8, 2017 09:10AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Kwan	Individual	Support	No

Comments: The DWI Court Program helps keep our state safe. The program received national praise as it was the recipient of the National Highway Traffic Safety Administration Public Service Award. I support full funding for the DWI Court Program.

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.

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From: [KaPIKO](#)
To: [JDLTestimony](#)
Subject: Support for SB469
Date: Tuesday, February 7, 2017 2:45:31 AM

Aloha,

I am in support of SB469, The Judiciary Appropriations Act of 2017. I support and urge funding be appropriated to convert and make permanent the seven staffing positions of the Hawaii Girl's Court program of the First Circuit. There is no doubt that girls and their families working together on their healing journey benefit from consistent and experienced people who themselves are secure in their positions. It is detrimental for a young person and their families too who open up themselves during a vulnerable time in their lives, gain trust from a staff person only to learn of their departure. Please pass SB469 and appropriate sufficient resources to make the Hawaii Girls Court program a permanent one for Hawaii's girls and their families.

Mahalo,

Kim Rivera, Certified Parent Support Provider
KaPIKO Youth & Family Partnerships LLC

Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

Judiciary Budget Package
SB469

Wednesday, February 8, 2017
9:10am
Conference Room 016

To Judiciary and Labor Committee Chair, Vice Chair & Members:

My name is Michelle Kawasaki and I am a licensed clinical psychologist in the State of Hawai'i. I am writing to provide testimony **in support of the DWI Court Program** (SB469).

In 2013, my brother-in-law was driving while under the influence. He lost control of his vehicle and his girlfriend died from her injuries. Last year, he was sentenced to 10 years in prison for negligent homicide and is currently serving his sentence in Arizona. I do not know the details of his legal history, but I know that this was not his first DWI offense. I wonder if he had gotten assistance from a program like DWI Court if there would have been a different outcome for everyone involved.

I strongly urge legislators to approve funding to support this important program.

Sincerely,

Michelle Kawasaki, Ph.D.
94-970 Lumiauau Street #B101
Waipahu, HI 96797

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for SB469 on Feb 8, 2017 09:10AM
Date: Monday, February 6, 2017 9:53:39 AM

SB469

Submitted on: 2/6/2017

Testimony for JDL on Feb 8, 2017 09:10AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Paige Kawakami	Individual	Support	No

Comments: Please continue to fund the DWI Court Program. Repeat drunk driving is a significant and dangerous problem in our state. The DWI Court Program has been successfully working to heal our community and lessen the number of repeat drunk driving offenders in Hawaii for years. The Program should have the opportunity to continue their important work.

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.

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From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for SB469 on Feb 8, 2017 09:10AM
Date: Tuesday, February 7, 2017 10:59:47 AM

SB469

Submitted on: 2/7/2017

Testimony for JDL on Feb 8, 2017 09:10AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel Kailianu	Individual	Support	Yes

Comments: They need to be paid and receive just compensation for their jobs.

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