

Honolulu, Hawaii

APR 02 2018

RE: GOV. MSG. NO. 617

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred Governor's Message No. 617, submitting for study and consideration the appointment of:

FIRST CIRCUIT COURT JUDGE

G.M. No. 617 JAMES H. ASHFORD,
for a term to expire in 10 years,

begs leave to report as follows:

Your Committee reviewed the personal history, resume, and statement submitted by Judge James H. Ashford for service on the Circuit Court of the First Circuit.

Your Committee received testimony in support of the appointment of Judge James H. Ashford from nine individuals. Your Committee received comments on the appointment of Judge James H. Ashford from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors found the appointee to be qualified for the position of First Circuit Court Judge based on established criteria for determining the qualifications of judicial and executive appointments generally using the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Specifically, the Board uses the following criteria in its deliberations: integrity and diligence, legal knowledge and ability, professional experience, judicial temperament, financial responsibility, public service, health, and ability to perform the



responsibilities and duties required of the position for which the applicant has been nominated. The Board's rating system includes the categories of "qualified" and "not qualified".

Judge James H. Ashford received his Bachelor of Arts degree from Claremont McKenna College, and his Doctorate of Jurisprudence from Loyola Law School, where he was on the Dean's List in his first two years. He currently serves as a District Judge of the First Circuit, where he presides primarily over criminal cases brought in the District Court. He has also presided over civil and felony criminal trials while on temporary assignment to the Circuit Court.

Prior to his appointment to the District Court of the First Circuit, Judge Ashford served as a litigation partner with Cades Schutte, LLP, where he represented a broad variety of clients in civil litigation, including contract, tort, employment, and trust and estate cases. Additionally, he represented several private secondary and post-secondary schools on issues concerning employee termination, accommodations, tenure, discipline, expulsion, and tuition. In his private litigation practice, Judge Ashford represented clients in proceedings at every level of the Hawai'i state court system, including the Intermediate Court of Appeals and the Hawai'i Supreme Court.

Judge Ashford has also been involved in the legal community, having served as a judge for Loyola Law School's annual moot court competition between eight and ten times over an approximately twelve-year period and has served as a Court Annexed Arbitration Program arbitrator several times. He is also currently president of the Hawaii State Trial Judges Association. In private practice, he was a member of his firm's Attorney Training and Development Committee for approximately twenty years, which included formally and informally mentoring and training associates, as well as attending annual attorney performance evaluations.

Testimony submitted in support of Judge Ashford's appointment draws attention to his thoughtful, high quality legal analysis; deep knowledge of Hawai'i law and court procedures; dedication to training young lawyers and helping to improve the State's legal system; and commitment to ensuring that he and others comply with ethical standards governing lawyers and judges. He is consistently patient and thoughtful in the cases over which he presides, and takes time to listen to litigants and render fair



decisions. Several testifiers noted his great personal integrity, unwavering professionalism, and dedication to the fair and even-handed application of justice.

Your Committee finds that, based on the testimony submitted on his behalf, Judge James H. Ashford has the experience, temperament, judiciousness, and other competencies to be a First Circuit Court Judge, and has the strong personal integrity, superb judicial temperament, and legal acumen that are essential for a First Circuit Court Judge.

As affirmed by the record of votes of the members of your Committee on Judiciary 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,



BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC
Consent

Gov. Msg./Jud. Com. No.:* GM 617	Committee Referral: JDC	Date: 3/28/2018		
<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
TANIGUCHI, Brian T. (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:				
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