

Honolulu, Hawaii

APR 02 2018

RE: JUD. COM. NO. 3

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 Judiciary Communication No. 3, submitting for study and consideration the appointment of:

DISTRICT COURT OF THE FIRST CIRCUIT

J.C. No. 3 KEVIN T. MORIKONE,
 for a term to expire in 6 years,

begs leave to report as follows:

Your Committee reviewed the personal history, resume, and statement submitted by Kevin T. Morikone for service on the District Court of the First Circuit.

Your Committee received testimony in support of the appointment of Kevin T. Morikone from the Oahu Interscholastic Association and thirty-six individuals. Your Committee received comments on the appointment of Kevin T. Morikone 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 District Court Judge of the First Circuit 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".

Kevin T. Morikone received his Bachelor of Arts degree in Political Science with a certificate in Ethnic Studies from the University of Hawai'i at Manoa, and his Doctorate of Jurisprudence from the William S. Richardson School of Law, where he graduated cum laude. Since October 2015, he has served as a per diem District Family Judge in the Family Court of the First Circuit while continuing his private practice at Hosoda and Morikone, LLC.

Mr. Morikone has been a partner at Hosoda and Morikone, LLC, since 2011, and has represented plaintiffs and defendants in commercial litigation, construction defect cases, real property disputes, foreclosures, landlord-tenant disputes, personal injury cases, wrongful death cases, products liability cases, misdemeanor criminal proceedings, and collections. As a per diem District Family Judge in the Family Court of the First Circuit, Mr. Morikone has presided over temporary restraining order proceedings, adoptions, guardianship proceedings, paternity proceedings, uncontested and contested divorces, and cases involving detention homes. He has also served as an arbitrator in the Court Annexed Arbitration Program, arbitrating a slip and fall case in which he issued a decision which the parties accepted.

Mr. Morikone has been actively involved in the legal community throughout his career, including as a volunteer for Appellate Advocacy and Trial Practice courses and as pro bono legal counsel for the Oahu Interscholastic Association. In addition, he has served as the Foreclosure Commissioner since 2013, and participated in Lawyers League Softball since 2003.

Testimony submitted in support of Mr. Morikone's appointment commend his strong work ethic, keen legal knowledge, and high degree of professionalism when dealing with opposing counsel, judges, officers of the court, and clients. He has repeatedly demonstrated the ability in complex, multi-party commercial disputes, to approach contentious issues in a mature and constructive manner. Numerous testifiers also praised Mr. Morikone's integrity, diligence, and compassion

Your Committee finds that, based on the testimony submitted on his behalf, Kevin T. Morikone has the experience, temperament, judiciousness, and other competencies to be a District Court Judge



of the First Circuit, and that he has the intellect, experience, and demeanor to fully and faithfully discharge all the duties associated with the judicial office of District 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.:* <div style="font-size: 1.5em; text-align: center;">JC 3</div>	Committee Referral: <div style="font-size: 1.5em; text-align: center;">JDC</div>	Date: <div style="font-size: 1.5em; text-align: center;">3/28/2018</div>		
<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:				
<i>Karl Rhoads</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one Message/Communication per Record of Votes