

TESTIMONY IN SUPPORT OF GM 617

Wednesday, March 28, 2018, 10:00 a.m.
State Capitol, Conference Room 016

COMMITTEE ON JUDICIARY

To: The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice Chair
Members of the Judiciary Committee

IN SUPPORT OF GM 617.

Dear Members of the Senate Committee on Judiciary:

The purpose of this letter is to express my strong support for The Honorable James H. Ashford to serve as a Judge of the Circuit Court of the First Circuit. I have known Jim since he joined Cades Schutte in 1990 and then had the privilege of being his partner for 17 years until he was appointed by Chief Justice Recktenwald to serve as a Judge for the District Court of the First Circuit in 2013.

I worked with Jim in various capacities in the firm. First, I worked with Jim on many contested trust matters. Jim worked hard to try to resolve cases before resorting to trial, but he was an excellent and passionate advocate at trial when necessary. Jim is analytical, strategic, practical, and compassionate.

Second, Jim and I served as Co-Chairs of our firm's Attorney Training and Development Committee for at least 10 years. Jim was our firm's best mentor to our young attorneys. Jim taught our associates not only the nuts and bolts of litigation, but also how to be sensitive to the client's needs and tolerance for the risks associated with litigation, and how to manage a case efficiently so that fees and costs are minimized.

Third, Jim was one of the first partners in our firm who staffed the Access to Justice Room and led the charge in recruiting other attorneys to follow suit. He viewed the opportunity as a chance to give back to the community and also a great teaching tool for our associates.

Fourth, since Jim became a District Court Judge, I have heard positive comments from young attorneys who have appeared before him. They have commented that he has an excellent judicial demeanor, is well-prepared, and fair.

Finally, Jim has a strong moral compass that guides his decisions and his interactions with others. This moral compass, combined with his analytical abilities, trial experience, and compassion, makes him an excellent judge. He would be a tremendous asset to our First Circuit Court.

Thank you for your consideration.

Respectfully submitted,



Rhonda Griswold



Testimony of the
HAWAII STATE BAR ASSOCIATION
relating to the nomination of

James H. Ashford
Circuit Court Judge of the First Circuit (GM617)

TO: The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice-Chair
and Members of the Senate Committee on Judiciary

FROM: Howard K.K. Luke
President, Hawaii State Bar Association

Hearing: Wednesday, March 28, 2018 at 10:00 a.m.
Conference Room 016
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments on the nomination of James H. Ashford for the position of Circuit Court Judge of the First Circuit.

The HSBA Board of Directors followed its multi-step process to inform the confirming authority of its findings.

- Notification to the nominee of the HSBA appointment review process, which includes a questionnaire requesting educational credentials, legal and other professional work experiences, personal references; a resume; a copy of the JSC application; a form authorizing disclosure from the Office of Disciplinary Counsel of any disciplinary action; and an interview with the HSBA Board of Directors.
- Notification via electronic transmission to the HSBA membership of the appointment and a request for comments on the nominee.
- Appointment of a three-person review Subcommittee of HSBA Board members by the President, which serves as a neutral fact-finding body to review documentation submitted by the nominee, contact references submitted by the nominee, review comments received from the HSBA membership, and conduct follow-up member contact for clarification, if necessary, for presentation to the HSBA Board.
- Submittal of a report by the three-person review subcommittee to the President, and subsequently to the entire Board.

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Testimony of HSBA
Hearing on March 28, 2018

- Meeting of the President, the Executive Director, and the nominee prior to the scheduled interview of the nominee by the Board.
- Interview of the nominee by the HSBA Board.
- Deliberation of the HSBA Board which culminates in either a qualified or unqualified vote.
- Submittal of the HSBA Board's recommendation to the confirming authority.

The HSBA President and the Executive Director met with Judge Ashford on March 21st to discuss the Subcommittee's findings. On March 22nd, Judge Ashford was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Judge Ashford was reviewed and all of the references listed were contacted for their personal opinions and observations. The comments and letters received from HSBA members reflected an affirmation of Judge Ashford in categories of the HSBA criteria which include:

- Integrity
- Diligence
- Legal knowledge and ability
- Professional experience
- Temperament
- Financial responsibility
- Public service
- Health
- Ability to fulfill the responsibilities and duties of the position

After the interview of the nominee, which included dialogue and questioning relating to his background, experiences, and reasons for pursuing the position of Circuit Court Judge of the First Circuit, the Board of the Hawaii State Bar Association found Judge James H. Ashford to be **QUALIFIED**.

Throughout Judge Ashford's career in the legal profession he has exhibited a very high degree of professionalism, knowledge, perseverance and fairness. As a litigation partner in a large local firm, Judge Ashford represented a broad range of clients in civil litigation, including contract, tort, employment, and trust and estate. As a District Court Judge since 2013, the nominee has presided over a broad range of cases. As a judge temporarily assigned to the Circuit Court, he presided over civil and felony criminal trials.

Thank you for the opportunity to offer comments for consideration during the deliberations and decision making of this Committee.



March 20, 2018

Senator Brian T. Taniguchi, Chair
Senator Karl Rhoads, Vice Chair
Committee on Judiciary
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: GM 617 – Consideration and Confirmation to the
First Circuit Court, Gubernatorial Nominee
(Recommendation for James H. Ashford)

Dear Senators Taniguchi and Rhoads:

The purpose of this letter is to express my strong and unequivocal support of James “Jim” Ashford to fill the judicial vacancy in the Circuit Court of the First Circuit.

I have known Jim for more than 30 years. We first met on a personal basis. We later developed a professional relationship in connection with client matters. Lastly, I have seen him in his current role as District Court Judge. Thus, I have observed Jim in many different contexts.

Jim is very intelligent and has a phenomenal memory. He is a quick study and is able to grasp quickly the facts and law that are relevant to any given dispute. While Jim is serious and always professional, he also has a sense of humor and an approachable demeanor. Perhaps the strongest quality that he possesses, though, is his unfailing integrity. I never once had occasion to question his good judgment and his honesty.

The State of Hawaii would benefit immensely if Jim Ashford were to fill the judicial vacancy in the First Circuit Court. I urge your confirmation of his nomination by Governor Ige. Thank you.

Very truly yours,

ROSEMARY T. FAZIO

RTF:lms

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GM-617

Submitted on: 3/20/2018 6:00:26 AM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John Lockwood	Individual	Support	No

Comments:

While I have not appeared before Judge Ashford in the representation of clients, I have known him for the majority of his life and have worked with him on several occasions regarding family estate planning matters. I can say without fear of contradiction that Judge Ashford will bring to the Circuit Court bench, among many other appropriate characteristics, the qualities of acute legal analysis, integrity and judicial bearing. I strongly support and encourage his confirmation as a First Circuit Court Judge.

HOSODA & MORIKONE, LLC

ATTORNEYS AT LAW

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Lyle S. Hosoda
Kevin T. Morikone
Addison D. Bonner

Kristen A. Yamamoto
Lauren M. Nakamura
Kourtney H. Wong

March 21, 2018

VIA EMAIL: jdctestimony@capitol.hawaii.gov

Senate Judiciary Committee
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: **James Ashford- Judicial Nominee for Judge of
Circuit Court of the First Circuit, State of Hawai'i**

Dear Senate Chair Taniguchi, Vice Chair Rhoads, Senator Gabbard, Senator Thielen and Senator Mercado Kim:

I write in support of Judicial Nominee, the Honorable James Ashford, to be a Judge in the First Circuit Court, State of Hawaii. I have had the honor and privilege of knowing Judge Ashford for twenty-plus years. We have been in the legal industry and practicing lawyers in the State of Hawaii. I have now appeared before him as a judge approximately a dozen times, for a variety of matters including status conferences, contested hearings and settlement conferences.

As a civil litigator, we are fortunate to have Judge Ashford on the bench because of his experience in civil litigation. Judge Ashford's experience helps to move and resolve cases.

Judge Ashford is competent, experienced and has the right temperament for the position. He reads the submissions. He either knows the law or researches it. He analyzes the facts and law, and most importantly, he is decisive. He is patient and takes the time to listen to litigants, and then fairly and evenly renders his decisions.

I am available should you wish to discuss Judge Ashford further.

Very truly yours,



Lyle S. Hosoda

March 22, 2018

Via Email

The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice Chair
Committee on Judiciary
Hawaii State Capitol, Conference Room 016
415 South Beretania Street
Honolulu, Hawaii 96813

Re: GM617; Testimony in Support of the Confirmation of Gubernatorial
Nominee, James H. Ashford for the Circuit Court of the First Circuit

Dear Chair Taniguchi, Vice Chair Rhoads and Members of the Committee:

I write to express my strong support for the nomination of James H. Ashford for the position of judge of the Circuit Court of the First Circuit. When I joined Cades Schutte LLP as an associate attorney in September 2007, I began working extensively with Jim and under Jim's guidance on a wide range of civil litigation matters, including employment, landlord-tenant, contract, education, real estate and construction defect cases. Jim also agreed to serve as my mentor. As a result, I talked to Jim on almost a daily basis until he left the firm to become a judge at the District Court in 2013. We were sad to lose Jim at the firm, but I am happy that he has found enjoyment in his work on the bench.

In my experience, Jim provides thoughtful, high quality legal analysis, is very knowledgeable about Hawaii law and court procedures, is dedicated to training young lawyers and helping to improve our legal system and is committed to ensuring that he and others comply with ethical standards governing lawyers and judges. I believe he would be a tremendous asset to the Circuit Court and recommend without hesitation that you confirm his nomination.

Thank you for considering my testimony. Please contact me if you have any questions at ajones@cades.com or (808) 521-9232.

Sincerely,



Amanda M. Jones

Stephen Teves
Hawaii Public Policy Advocates, LLC
1099 Alakea Street, Suite 2530
Honolulu, Hawaii 96813

SENATE COMMITTEE ON JUDICIARY

Senator Brian T. Taniguchi, Chair
Senator Karl Rhoads, Vice Chair

Wednesday, March 28, 2018
10:00 AM
State Capitol Room 16

RE: GM 617 James H. Ashford

Aloha! My name is Stephen M. Teves and I am writing in support of James H. Ashford to the Circuit Court of the First Circuit. I have known Jim for more than 25 years, beginning when we were practicing attorneys. In my experience, Jim has demonstrated the kind of intelligence, diligence and personal integrity and would make him an asset to the Judiciary and the First Circuit Court.

I humbly request that you approve his nomination.

March 26, 2018

VIA EMAIL: jdctestimony@capitol.hawaii.gov

Chairman Sen. Brian T. Taniguchi
Vice Chairman Sen. Karl Rhoads
Senate Committee on Judiciary
Hawaii State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Colin O. Miwa
Cades Schutte Building
1000 Bishop Street, Suite 1200
Honolulu, Hawai'i 96813-4212
Direct Line: (808) 544-3841
Direct Fax: (808) 521-9210
Email: cmiwa@cades.com

Re: **GM 617: *Submitting for consideration and confirmation to the Circuit Court of the First Circuit, Gubernatorial Nominee, JAMES H. ASHFORD, for a term to expire in 10 years.***

Dear Senator Taniguchi and Senator Rhoads:

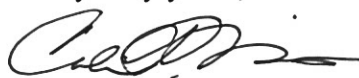
Thank you for the opportunity to submit my personal comments in support of Circuit Court of the First Circuit Court nominee James H. Ashford.

I have been practicing law with my firm, Cades Schutte, since 1981. For most of those years, I have been handling commercial litigation matters with an emphasis on intellectual property disputes, but have also had a number of construction matters. I practiced at Cades with Jim while he was at the firm, from approximately 1990 through 2013.

While working together with Jim in the Cades litigation department, I found him to be technically competent as well as honest, fair and compassionate. His temperament is even-keeled and he has been timely and diligent in responding to issues that have arisen. Since his prior confirmation, I haven't appeared before him on District Court matters. But I believe Jim's experience in the Judiciary the past several years would serve him well, should he be confirmed for the Circuit Court position.

I strongly support his confirmation.

Very truly yours,



Colin O. Miwa

GM-617

Submitted on: 3/26/2018 10:11:34 PM

Testimony for JDC on 3/28/2018 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dawn	Individual	Support	No

Comments:

To whom it may concern,

I'm writing in support of Judge James H. Ashford as nominee to the Circuit Court of the First Circuit.

To put this nomination in context, let me share some relevant personal background. I began my legal career serving as a law clerk to two circuit court judges. I then went into private practice in insurance defense litigation, during which time I appeared before judges in both state and federal courts. I returned to the judiciary to serve as Judge Rhonda Nishimura's judicial assistant until her retirement and have served as judicial assistant to Judge Ashford since August of 2017.

As you may be aware, Judge Ashford was temporarily assigned to handle Judge Nishimura's civil calendar (10th Division) following her retirement. Prior to actually assuming the assignment, Judge Ashford shadowed Judge Nishimura, observing her in court, familiarizing himself with the cases, and participating in settlement conferences. He spent a considerable amount of time discussing with her how best to handle 10th Division's civil calendar as it includes bi-yearly asbestos trials and numerous complex litigation cases. Consequently, the transition from Judge Nishimura to Judge Ashford was quite seamless.

During the course of his time with 10th Division, Judge Ashford has ruled on numerous motions, conducted status and settlement conferences, and even presided over a few trials. Judge is very thorough and well-prepared, sometimes more so than the attorneys. He takes a very practical approach to the handling of cases to facilitate the litigation process and to encourage expeditious resolution of cases. Judge holds both himself and the attorneys appearing before him to a high standard to ensure that the rules of court and the laws of Hawaii are upheld.

Based on my previous experiences and current situation, I believe that Judge Ashford possesses the qualifications to be a successful and effective circuit court judge. He has demonstrated his ability to capably handle the circuit calendar and would be an asset to the circuit court bench. Thank you for your consideration of this testimony.

Sincerely,

Dawn M. Nakagawa

From: [Tmhifo](#)
To: [JDCTestimony](#)
Subject: Testimony re: GM 617 supporting Senate confirmation of First Circuit Court Nominee James Ashford
Date: Thursday, March 22, 2018 5:31:41 PM

To: Senate Judiciary Chair Brian Taniguchi and Vice Chair Karl Rhoads
From: (Bambi) Eden Elizabeth Hifo
March 22, 2018

Re: GM 617 Testimony Supporting Confirmation of First Circuit Court Nominee James Ashford

Dear Honorable Senators Brian Taniguchi, Karl Rhoads and Senate Judiciary Committee Members:

I write in support of the nomination of Honolulu District Court Judge James Ashford to serve on the First Circuit Court. It may be said that the best recommendation of any person for a specific job is that the person already is doing the job well. In Judge Ashford's case, for the last year he has been assigned to preside in circuit court, filling the vacancy left by the retirement of Judge Rhonda Nishimura. In that capacity he inherited a challenging civil litigation calendar including asbestos toxic tort cases, and I believe he performed well.

His reputation while serving in Honolulu District Court also has been good which no doubt led to his temporary assignment to Circuit Court. In any event, I know him to be an intelligent person who very much has enjoyed his service in Honolulu District Court including presiding in the rural courts, and I think he will continue to do well in the Circuit Court if confirmed. He seems even tempered, open minded, interested in those who appear before him and was an experienced trial attorney before joining the Judiciary. These qualities will serve him well in the future.

For these reasons I respectfully urge your confirmation of James Ashford to the First Circuit Court.

Thank you for the opportunity to comment.

Eden Elizabeth Hifo
/signature/