



JUDICIARY COMM. NO. 22

Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII

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January 22, 2020

The Honorable Ronald D. Kouchi
President of the Senate
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kouchi and Speaker Saiki:

It is our privilege to submit an annual report on the work and programs of the Hawaii State Judiciary from January to December, 2019.

The public may view electronic copies of this and other reports on the Judiciary's website at the following link: http://www.courts.state.hi.us/news_and_reports/reports/reports.

Should you have any questions regarding this report, please feel free to contact Jan Kagehiro of the Judiciary's Communications and Community Relations Office at 539-4914, or via e-mail at Jan.M.Kagehiro@courts.hawaii.gov.

Sincerely,

A handwritten signature in blue ink that reads "Rodney A. Maile".

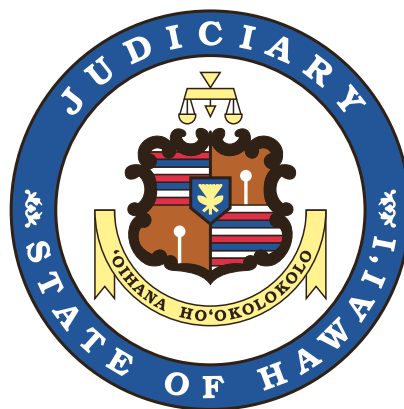
Rodney A. Maile
Administrative Director of the Courts

Enclosures

c: Members of the Thirtieth Legislature
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HAWAII STATE JUDICIARY ANNUAL REPORT

2019

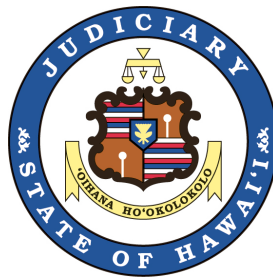


Note: Diacritical marks used in Hawaiian language words have been omitted from this report to ensure online compatibility with screen reader programs, as required by the Americans with Disabilities Act.

The Hawaii State Judiciary recognizes the importance of proper use of the Hawaiian language, including the okina and kahako in Hawaiian words, names, and place names, and continues to use them outside of the online environment.

Hawaii State Judiciary Annual Report 2019

This report describes the ongoing efforts of the Hawaii State Judiciary to administer justice for the people of Hawaii.



The mission of the Judiciary, as an independent branch of government, is to administer justice in an impartial, efficient, and accessible manner in accordance with the law.

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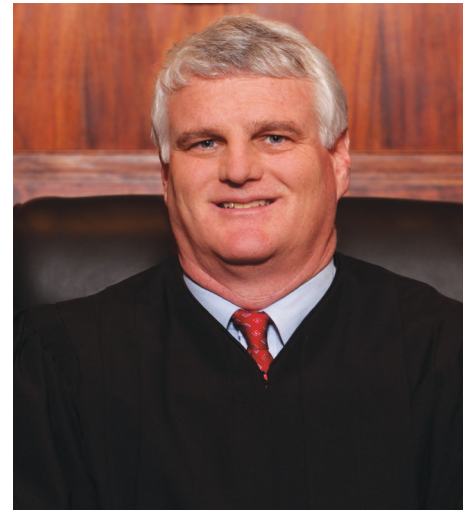
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Welcome

Aloha,

It is my privilege to report on our continuing efforts to fulfill the Hawaii State Judiciary's mission of administering justice in an impartial, efficient, and accessible manner in accordance with the law.

The Judiciary is striving to meet the rapidly evolving needs of our communities, anticipate future challenges, and make it easier for people to manage their legal affairs through the courts. With that focus, we proactively sought out and implemented a wide range of improvements to the facilities, systems, resources, and services the Judiciary provides.



Chief Justice Mark E. Recktenwald

Among the most notable developments of 2019 was the completion of the new Keahuolu Courthouse in Kona, on time and on budget. This was an enormous undertaking, and thanks to the support of the Legislature, Gov. David Ige, and many others too numerous to name in this limited space, the West Hawaii community now has a safe, secure, and modern place where people can come together to obtain justice.

Additionally, the courts successfully migrated Circuit and District civil cases into the Judiciary Information Management System ("JIMS"). This allows court users to electronically file their documents with the courts seven days a week.

The Judiciary also continued to work with the Access to Justice Commission, the bar, and various community groups to make significant progress on projects that increase access to justice for people who cannot afford an attorney.

These things and more were all made possible through our valued partnerships with the Legislature, the Governor, the executive branch departments, volunteers, and community partners who share our commitment to furthering the cause of fair and equal justice for all.

There is, of course, still much to be done, and so we will remain constant in our efforts to increase operational efficiencies, minimize costs, and improve the administration of justice for the people of Hawaii.

Mahalo for your support,

A handwritten signature in black ink that reads "Mark E. Recktenwald". The signature is written in a cursive, flowing style.

Chief Justice Mark E. Recktenwald
Hawaii Supreme Court



"The judiciary has one mission — to provide justice. We offer a fair and impartial forum where people can peacefully resolve their disputes. We strive to ensure that the peace they find is a lasting one by helping them address the causes of what brought them before the courts. And, we provide justice for all, regardless of the person's background or economic status. Under our constitution, the Judiciary is sometimes called upon to protect the rights of those whose views may be unpopular. In making decisions, our judges must faithfully apply the constitutions and laws of the United States and Hawaii to the facts of each case — free from passion, pressure or outside influence."

*- Hawaii Supreme Court Chief Justice Mark E. Recktenwald
State of the Judiciary Address, January 24, 2019
Senate Chambers, Hawaii State Capitol*

Equal Access to Justice for Everyone

For those without legal representation, navigating the courts may be daunting. The Hawaii State Judiciary is committed to increasing access to justice in our courts. We accomplish that in many different ways, both in our courtrooms and in our communities.

Expanding Options for Accessing Legal Assistance

“No citizen shall be disfranchised, or deprived of any of the rights or privileges secured to other citizens, unless by the law of the land.”

- Article I, Section 8 of the Hawaii State Constitution

Each year, thousands of Hawaii residents represent themselves in our courts without understanding the legal system or how court processes and procedures work. Appearing in court without a lawyer, they face serious potential consequences for their families, their homes, and their livelihoods.

The Hawaii Access to Justice Commission was established by the Hawaii Supreme Court on Law Day, May 1, 2008, to address this issue by substantially increasing access to justice in civil legal matters for low- and moderate-income residents of Hawaii.

The Commission brought together 22 unpaid representatives from government, non-profit organizations, legal service providers, and community volunteers from every judicial circuit. It served as a forum for channeling their common interests, and as a catalyst for driving change in the statewide efforts to improve access to justice for everyone.

Over the past 10 years, Hawaii’s Access to Justice Commission has generated an impressive record of accomplishments and become a model for other states because of everything it has achieved with very limited resources.

In 2019, the Commission continued to advance projects on several fronts marking a promising beginning for its next decade.

Self-representation and Unbundling

In recent years, 97 percent of summary possession cases and 94 percent of divorce cases in Hawaii involve at least one party without an attorney, and in divorce cases, both parties represent themselves in 62 percent of all cases. Why? Though most would prefer having an attorney, the costs for retaining one are often prohibitive.

For many years, the Commission’s Self-Representation and Unbundling Committee has advocated for attorneys to provide limited-scope representation as an alternative to the traditional practice of full-service legal representation where a client pays hourly fees for an attorney to handle a case from start to finish.

They worked with the Hawaii Supreme Court staff attorneys to develop new rules and court forms, and in September 2019, the Court issued orders allowing for the unbundling of legal services in the District, Family, and Circuit courts.

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Expanding Options for Accessing Legal Assistance (cont.)



Attorneys who assisted the community at the Maui courthouse Self-Help Center in 2018 were honored at the Maui County Bar Association's Court Volunteer Appreciation Dinner, May 10, 2019. Front row from left: Bevanne Bowers, Benjamin Acob, Caroline Belsom, Judith Neustadter Naone, Lauren Akitake, and Megan Moniz. Middle row from left: Second Circuit Chief Judge Joseph E. Cardoza, Liz Cuccia, Yukari Murakami, Supreme Court Chief Justice Mark E. Recktenwald, David Cain, and Magdalena Bajon. Back row from left: Maui County Bar Association President William Pannell, Maui County Bar Association Vice President Damir Kouliev, Napoleon Taylor, Ben Pittenger, and Gary Murai.

These rules provide that lawyers can limit their work to certain parts of a case, while clients maintain responsibility for other parts. For example, a litigant may hire an attorney to assist only with the most difficult or technical proceedings, such as the custody portions of a divorce.

Unbundling removes certain barriers that have contributed, in part, to the unmet legal needs of our communities, and gives litigants greater assurance about costs. It also provides attorneys with a new business model that helps them remain competitive by meeting the demand for limited or less expensive legal assistance, and growing their present and future client base by engaging litigants who would not otherwise retain an attorney.

Unbundling also helps the courts increase efficiency through fewer court appearances and delays as litigants are better prepared to present their cases.

Free Legal Assistance

The Committee on Increasing Pro Bono Legal Services continues to work towards expanding the availability of free (pro bono) legal assistance by recruiting volunteer attorneys from law firms and from law-related groups, such as the Hawaii Women Lawyers Association and Hawaii Filipino Lawyers Association. These volunteers provide limited legal advice and information to the public at the Access to Justice Rooms and Self-Help Centers located in certain state courthouses.

Since Hawaii's first courthouse Self-Help Center opened on Kauai in October 2011, volunteer attorneys and AmeriCorps Advocates at Self-Help Centers statewide have provided residents with more than 27,000 consultations on civil matters related to landlord tenant cases, collections, divorces, custody cases, and temporary restraining orders, at almost no cost to the public.

Numbers of Free Consultations at
Courthouse Self-Help Centers
October 2011 - October 2019

Honolulu District Court	6,340
Kapolei Family Court	2,014
Maui Courthouse	5,369
Hilo Courthouse	6,597
Kona Courthouse	3,402
Kauai Courthouse	3,798
TOTAL ASSISTED	27,520

Records show that Hawaii island's Self-Help Center in Hilo has the greatest public demand for legal information in the state. In September 2019, the Commission visited Hilo to recruit volunteers to staff the center. The Hawaii County Bar Association, the Hawaii County Corporation Counsel, and the Hawaii County Prosecutors' Office responded and committed to staff the room through the end of the year.

The centers are a great example of what can be accomplished when our community works together. The Access to Justice Commission thanks the Hawaii State Bar Association, the Legal Aid Society of Hawaii, the county bar associations, and all the volunteer attorneys for doing their part to support the community.

Justice for All Grant

Over the past three years a substantial part of the Commission's efforts have been devoted to Hawaii's Justice for All grant.

The national Justice for All initiative began in July 2015, when Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA) unanimously passed Resolution 5, Reaffirming the Commitment to Meaningful Access to Justice for All. It calls for courts, Access to Justice Commissions, and other essential partners, including civil legal aid organizations and bar associations in each state, to develop a strategic plan with realistic and measurable outcomes for extending effective legal assistance to every individual in need.

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Attorneys interested in volunteering at the Self-Help Centers are invited to contact the Legal Aid Society of Hawaii about the next training session.

For more information visit:

www.legalaidhawaii.org/pro-bono-attorneys.html

Oahu Attorneys Honored for Pro Bono Work



The Hawaii Access to Justice Commission recognized the volunteer contributions of law firms and individual attorneys at the annual Pro Bono Celebration on October 24. Front left: Hawaii Access to Justice Commission Chair Justice Simeon Acoba (ret.), Legal Aid Society of Hawaii awardee Christine Daleiden, Volunteer Legal Services Hawaii awardee Gary Singh, The Mediation Center of the Pacific, Inc. awardee Denise George, attorney Wyatt Honse for American Civil Liberties Union awardee Simpson Thacher & Bartlett, LLP, University of Hawaii Elder Law Program awardee Barbara Ritchie, Hawaii Disability Rights Center awardee Meredith Miller, and Hawaii Supreme Court Chief Justice Mark E. Recktenwald.

Attorneys who volunteered their time to assist people going to court without a lawyer; non-profit legal services providers; and indigent parties in Hawaii's Appellate Pro Bono Program, were honored at the Hawaii Access to Justice Commission's 2019 Pro Bono Celebration on October 24.

Volunteer attorneys who staffed the Access to Justice Rooms at the Honolulu District Court and the Ronald T.Y. Moon Judiciary Complex in Kapolei were also honored for their contributions. Since 2012, attorneys have provided more than 8,000 consultations, at no charge, to people seeking legal assistance at these facilities.

The Pro Bono Celebration, held annually during [National Pro Bono Week](#), was sponsored by the Hawaii Access to Justice Commission with the support of the Hawaii Justice Foundation, the Hawaii State Bar Association, and the Hawaii State Bar Foundation.

Expanding Options for Accessing Legal Assistance (cont.)

Hawaii was one of seven states chosen by the National Center for State Courts and the Public Welfare Foundation in November 2016 to receive a grant of nearly \$100,000 for developing such a plan. The Hawaii Justice Foundation (HJF) committed an additional \$50,000 to support the initiative.

After successfully completing the planning grant, Hawaii was awarded a second grant of \$116,763 in 2018, for implementation of the plan. An additional \$50,000 in supplemental funding was contributed by the HFJ.

On September 27, 2019, the Committee transmitted a final grant report on implementing two initiatives: The Hawaii Legal Aid Interagency Round Table Project and the Community Navigator Project.

Hawaii Legal Aid Interagency Round Table

The Hawaii Legal Aid Interagency Round Table seeks to bring together representatives from different state agencies to identify civil legal services currently being provided and increase coordination of services to vulnerable and underserved populations.

In 2019, the Interagency Roundtable Project sought to improve coordination of services to vulnerable and underserved populations by:

- Increasing collaboration and efficiency across state departments
- Identifying programs that could be more effective by adding legal services to the support they provide
- Leveraging federal funds to increase access to legal aid for Hawaii's most vulnerable.

An Interagency Coordinator was contracted to work in the Department of Human Services to convene the Roundtable.

The first Roundtable included the State of Hawaii's Department of Human Services' Homeless Programs Office and Med-QUEST; Department of Health's Executive Office of Aging and Adult Mental Health Division; Department of Labor Workforce Development Division's American Job Center program in Honolulu; Department of the Attorney General Child Support Enforcement Agency; and Department of Public Safety Intake Service Centers Division.

Several notable developments resulted, including:

1. Better communication and strengthened relationships between agencies (e.g., a better flow of information from the Child Support Enforcement Agency to sister agencies that work with people impacted by child support orders).
2. Publication of the Hawaii Legal Aid Interagency Toolkit – a resource providing information on the types of services available from state agencies that could increase access to civil legal aid. It is also a resource for state agency personnel who would benefit from knowing how to access civil legal services.
3. Identification and articulation of places where addressing civil legal services may help advance state programs' objectives.

Next Steps:

1. Obtain commitments from Department of Human Services to continue the efforts of the Interagency Roundtable.
2. Obtain legislative funding for a full-time position for a statewide Roundtable Coordinator.

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Expanding Options for Accessing Legal Assistance (cont.)

3. Identify ways judges in the criminal courts (e.g., Community Outreach Court, Veterans Treatment Court, Family Court) who handle assisted community outreach treatment orders can be part of helping people address their civil legal needs after cases are adjudicated.
4. Rethink the role of judges in helping people address their civil legal needs and access civil legal services.

Community Navigator Project

The Community Navigator Project's goal is to help people facing barriers because of ethnicity, culture, language, income, age, or geography, who do not seek legal assistance. To accomplish this, a community-building approach is being used. Trusted community leaders (e.g., religious leaders, librarians, social and outreach workers, informal community leaders, health clinic workers, school leaders) were trained to provide accurate and relevant information that helps community members access self-help materials to resolve legal issues and other needs. They were also trained to refer more complex situations to legal service providers.

An interactive curriculum was created by legal service providers across the state. Eight trainings were conducted on all of the main Hawaiian Islands, including two trainings each on Oahu and Hawaii island. Representatives from the Legal Aid Society of Hawaii, the American Civil Liberties Union (ACLU) of Hawaii, the Mediation Center of the Pacific, Kuikahi Mediation Center, and the Justice For All Roundtable Project, served as co-trainers in one or more of the sessions. Local mediation programs, public defenders, domestic violence community partners and other legal service providers also participated in aspects of the training.

More than 100 people were trained, far exceeding the original goal of 50.

Outcomes of the training:

1. A positive outpouring of community support and interest. Health care workers, social service providers, and businesses recognize the value and benefits of understanding how to spot civil legal needs and make appropriate referrals.
2. The creation of a community of providers who better understand the role they play in the community and how their roles are related.

Legal Navigator (f.k.a. Microsoft Portal) - Progress Continues

The Legal Navigator, formerly known as the Microsoft Portal, utilizes technology to improve access to legal information and processes through a human-centered approach.

Users explain the issues they are facing and the program will quickly, conveniently, and accurately refer them to the services they need. This portal will use artificial intelligence, learning from each interaction, thus improving the system's accuracy and responsiveness over time.

In 2019, after contributing more than \$3 million in development time, Microsoft turned over the Legal Navigator project to the Legal Services Corporation to continue the work. Key partners in the endeavor include the Pew Charitable Trusts, the National Center for State Courts, and Pro Bono Net, with Hawaii and Alaska as the state-level partners. The Hawaii Justice Foundation also continues to provide national support for the development of this project.

There are plans for a soft launch with key local partners for testing, to be followed by a more public launch once testing is completed.

Task Force on Civil Justice Improvements



Members of the Task Force on Civil Justice Improvements. Front left: Judge Summer M. M. Kupau-Odo; Judge Jeanette H. Castagnetti; David M. Louie, Vice Chair; Attorney General Clare E. Connors, Vice-Chair; Chief Judge Craig H. Nakamura (ret.), Chair; Judge Rhonda A. Nishimura (ret.), Reporter; Associate Judge Keith K. Hiraoka; Judge Peter T. Cahill; and Jeffrey H.K. Sia. Back left: Judith A. Pavey; Daniel J. O'Meara; Edmund W.K. Huitsuka; Geoffrey K.S. Komeya; Susan Ichinose; Lisa W. Munger; Caroline S. Otani; Nancy J. Budd; Nadine Y. Ando; Elijah Yip; and Roy K.S. Chang. Not pictured: Fifth Circuit Chief Judge Randal G.B. Valenciano, Third Circuit Judge Henry T. Nakamoto, Russell A. Suzuki, Steven J.T. Chow, Cynthia K. Wong, Professor Eric K. Yamamoto, and William B. Heflin.

Chief Justice Mark E. Recktenwald established the Task Force on Civil Justice Improvements in June 2018, to conduct a comprehensive review of the Hawaii Circuit Court's civil justice system and develop recommendations to reduce costs and delays and streamline the litigation process.

Under the leadership of Chair Craig Nakamura, retired Chief Judge of the Hawaii Intermediate Court of Appeals, the task force met 15 times, beginning in July 2018. Members considered national reports, and drew upon personal experience, as well as input received through the Hawaii State Bar Association (HSBA) Bench-Bar Conference. They also examined the Federal Rules of Civil Procedure, and studied other jurisdictions' reform efforts and best practices for reducing costs and delays. Additionally, task force representatives participated in panel discussions at the October 2018 Civil Law Forum, and circulated an extensive survey to all HSBA members to obtain their views and suggestions.

In August, the task force released its final report for public review and comments on the recommendations. The comment period closed December 2, 2019. The Hawaii Supreme Court will review all public input and determine further action.

New Volunteer Court Navigator Program Helps People Who Come to Court Without a Lawyer



Tori Renschen (right) with Volunteer Court Navigators from left, Lani Scott, Pam Lavarre, and Diane Sueno, who are identifiable by the large orange "Volunteer Court Navigator" badges they wear while on duty.

The Judiciary recognizes that many in our community do not understand the legal system, nor do they know how court processes and procedures work. Judges must remain impartial and cannot advise individuals involved in court matters, however, the Judiciary can give general assistance to people seeking court services to help them exercise the rights afforded to them by law.

The Volunteer Court Navigator program provides immediate assistance to individuals who go to court without a lawyer for civil cases such as landlord-tenant, debt collection, and non-family temporary restraining orders (TROs).

The program began as a proposal of the Hawaii Access to Justice Commission's Task Force on Paralegals and Other Nonlawyers and its Chair, Second Circuit Chief Judge Joseph Cardoza. Following the proposal's approval by the Hawaii Supreme Court, Chief Judge Cardoza launched the state's first Court Navigator program at Maui District Court in June 2018.

On Mondays when the District Court hears civil cases, Navigators are stationed at the main entrance to the courthouse. They determine if self-represented individuals need interpreters or accommodations for sight or hearing impairments, and provide general information on court procedures and resources available in the courthouse, such as the Self-Help Center, the Service Center, as well as free mediation services. They also direct people to the proper courthouse floor.

On the upper floor, other Navigators provide information and show people to the correct courtroom. While Navigators cannot provide legal advice, inside the courtroom they can assist with such things as reminding self-represented litigants to stand and approach the court when their case is called.

They also take notes to answer basic questions after the proceeding, and provide general information on how a litigant may access “same day” mediation services.

If a case does not settle in mediation, Navigators may direct litigants to the Maui Self-Help Center where they can meet with a volunteer attorney for a free consultation.

Thanks to the outstanding dedication of the volunteers, Navigators have served more than 700 people and have been present during every debtor-creditor, landlord-tenant, and non-family TRO court session since the program began. All Navigators have received ratings of ‘excellent’ from those who completed an evaluation form.

Chief Judge Cardoza retired in June 2019, but remains actively involved with the program. Five states have contacted him for information on establishing similar programs.

Our system of justice works best when serving a well-informed population. The Volunteer Court Navigator program helps bridge the gap for those who are unfamiliar with the courts, and creates greater opportunities for everyone to avail themselves of the rights and liberties provided by law.

The Maui courts sincerely appreciate the dedicated service provided by the Court Navigators, and welcomes individuals wishing to volunteer. The only qualification needed is a desire to be of service to others.

For more information, please contact the Office of the Second Circuit Chief Court Administrator at **(808) 244-2929**.



Volunteer Court Navigators who helped visitors at the Hoapili Hale courthouse in 2018 were recognized during the Maui County Bar Association's Court Volunteer Appreciation Dinner for their service: Front row, left: Second Circuit Chief Judge Joseph Cardoza, Court Navigators Diane Sueno, Lani Scott, Tori Renschen, Pam Lavarre, and Sandy Filipelli. Back row, left: Maui County Bar Association President William Pannell, Vice-President Damir Kouliev, Court Navigator Linda Powley, and Hawaii Supreme Court Chief Justice Mark Recktenwald.

Keeping Communities Safe

Many individuals in our criminal justice system are addicted to drugs or suffer from some form of mental illness. Hawaii's courts have many programs to help people get the support and treatment they need to move their lives in a positive direction.

Drug Court: A Proven Alternative to Incarceration

Drug Court is a program designed to address crimes related to substance abuse, and provide alternatives to incarceration, while saving taxpayer dollars.

Drug Courts on Oahu, Hawaii island, Kauai, Maui, and Molokai deal with many of the most troubled, most addicted offenders on court-ordered supervision. These offenders are the ones in greatest need of drug court services and the state gets a better cost-benefit return by helping them avoid incarceration and eventually become employed, drug-free, law-abiding citizens.

Drug Court is an 18-month program of intensive court-based outpatient substance abuse treatment with mental health and medical follow-up, frequent and random drug and alcohol testing, assistance with obtaining employment and housing, random home visits, strict curfew monitoring, frequent review hearings before the Drug Court judge, along with incentives for clients who maintain sobriety and either attend school or training, or are gainfully employed.

Far-Reaching Benefits of Drug Courts

Hawaii's experience corresponds with more than 25 years of scientific research on Drug Courts nationwide, which consistently shows that:

- Simply incarcerating drug-offenders has not been effective at reducing recidivism or continued substance abuse after release from incarceration, nor cost-effective for communities.
- Drug Courts significantly reduce drug use, drug relapse, and criminal behavior, with substantial cost savings to the community.
- Drug Courts have been successful in rehabilitating individuals, and restoring and reuniting families.
- They have also helped ease the social costs of incarceration that would otherwise impact the children and extended family members of participants, through reduced quality of life, lost earnings, lost future earnings, lost taxes to the state, up-front criminal justice system costs, the cost of parole, foster care for the children of some prisoners, etc.

More than 2,100 people have graduated from Hawaii Drug Court programs since the establishment of Hawaii's first Drug Court on Oahu in 1996.

The majority have not been convicted of new felonies for up to three years after graduating from the program.



The Oahu Drug Court team celebrates the program's 70th graduation ceremony, and also a passing-of-the-torch as Judge Edward H. Kubo, Jr. formally turned over care of the Oahu Drug Court program to its new presiding judge, Matthew J. Viola, November 18, 2019. Front row, left: Drug Court Social Service Assistant Felicia Waialae, Drug Court Probation Officer Ana Ochoa, Drug Court Counselor Christopher Conley, Drug Court Counselor Elizabeth Everett, Public Defender Jamie Nakano, and Drug Court Supervisor Lei Kumagai. Back row, left: Judge Matthew J. Viola, Judge Edward H. Kubo, Jr., Prosecutor Tana Kekina-Cabaniero, Veteran's Treatment Court Supervisor Jason Dupont, and Drug Court Social Service Assistant Jason Custino.

2019 Drug Court Program Highlights

Oahu Drug Court

In 2019, Judge Matthew J. Viola assumed leadership of the Oahu Drug Court. He led the effort to realign criteria and streamlined the referral process to allow continued growth of the program.

During the last fiscal year, 137 clients participated in the program and 33 graduated.

Over the last 23 years, the Oahu Drug Court has had 993 graduates.

Maui / Molokai Drug Court

GPS Electronic Monitoring as Sanctions

GPS electronic monitoring devices of Maui/Molokai Drug Court participants began in February with one participant. By June there were 10.

Research shows such monitoring to be a credible tool to effect changes in client behaviors and an alternative to the use of jail sanctions. This has potential for great cost savings to the criminal justice system.

Average monitoring periods ranged from five to 10 days, with more than 10 days for a few participants. The total costs, approximately \$300 (\$30 for each monitoring period), were paid by the participants.

Based on the Department of Public Safety's estimate of \$140 per day to house an inmate at a correctional facility, the use of electronic monitoring devices resulted in an estimated cost savings of nearly \$12,000 for the State because the participants were not incarcerated.

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Drug Court: A Proven Alternative to Incarceration (cont.)

In addition to cost savings, Drug Court's goal of facilitating behavior changes in participants through applied sanctions appears to be working. A large majority of those placed on electronic monitoring have not been involved in any program violations that could have resulted in a jail sanction.

Since its inception in 2000, the Maui/Molokai Drug Court Program has admitted more than 1,230 participants. During the last fiscal year, 36 of the current 70+ participants completed treatment.

As of November 2019, 674 men and women have graduated from the program and had their felony criminal cases resolved by the court. More than four out of five graduates remain conviction-free of felony offenses for at least three years after completing Drug Court.

Big Island Drug Court

The Big Island Drug Court Program Division manages the Adult Drug Court, Juvenile Drug Court, and Veterans Court programs.

The Adult programs in Hilo and Kona, which launched in 2002, have now helped 300 individuals graduate. The Juvenile Drug Court program in Hilo, Kona, and South Kohala (Waimea) has graduated 47 individuals since 2004.

For information about how you can become a supporter through the Friends of the Big Island Drug Court, contact the Drug Court Probation office in Hilo at **(808) 961-7566**, or in Kona at **(808) 443-2200**.

Kauai Drug Court

Since its inception in 2003, the Kauai Drug Court (KDC) has graduated 223 individuals. Presently, KDC has 57 clients. Of those, 11 are currently attending residential treatment off-island.

All KDC outpatient clients have secured a sober place to live and the majority are either employed or furthering their education and job skills.

The Fifth Circuit held a CrossFit event on August 23, at the Kauai Christian Fellowship gym in Poipu to promote and support a healthy lifestyle for KDC clients. Participants included both clients and staff from the Kauai Drug and Veterans Court programs. The event was followed by a barbeque at the Poipu Beach Park.

Helping Hands for the Kauai Animal Education Center



Curious onlookers watch Kauai Drug and Veterans Court volunteers remove invasive shrubs from the creek that provides fresh water to the Kauai Animal Education Center.

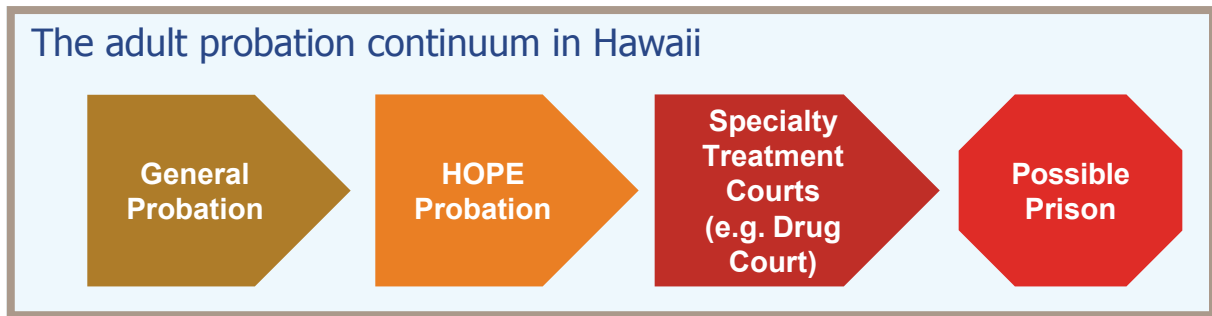
The Kauai Animal Education Center in Kapahi got a helping hand during a community service event on July 26 sponsored by the Kauai Drug and Veterans Courts. A team of program staff and clients gathered at the center to remove invasive shrubs, plant native flora and feedstock for the animals, and clean up the site's creek, which brings fresh water to animals and plants.

The Kauai Animal Education Center is a non-profit that provides shelter and care for abandoned and neglected animals at its three-acre property on the east side of Kauai. It also offers kids camps, a mobile petting zoo, and other educational opportunities for the community.

Court treatment clients perform several community service projects throughout the year. Other events for 2019 included two with the Salvation Army Adult Rehabilitation Center (ARC) and one with the State of Hawaii Department of Land and Natural Resources Division of Forestry and Wildlife.

For information about how you may become a supporter of the Kauai Drug Court and/or the Kauai Veterans Treatment Court, contact the program administrator at **(808) 482-2363**.

The adult probation continuum in Hawaii



HOPE: Reducing Crime, Helping Probationers, Saving Tax Dollars

Hawaii's Opportunity Probation with Enforcement (HOPE) is an intensive supervision program that strives to reduce victimization, crime, and drug use, while saving taxpayer dollars.

HOPE includes some of the toughest cases – high-risk probationers identified as likely to violate the conditions of their probation or community supervision, or those having the most difficulty complying with the terms of their probation. Research shows that focusing on these cases results in the best outcomes and provides a better return for every probation dollar.

For a successful HOPE program, three elements are necessary:

1. Probation officers (social workers) and/or treatment providers using evidence-based principles (EBP) to help probationers deal with any medical, emotional, and behavioral issues;
2. A patient judge, who understands addiction, to foster an encouraging, caring, and supportive environment; and
3. Swift, certain, consistent, and proportionate sanctions (no graduated sanctions).

Through creative applications of existing laws and resources, HOPE has proven effective at both reducing crime and helping offenders, while saving millions of tax dollars. Hawaii stands out as a national example of innovative community supervision.

There are a total of eight probation programs using HOPE or HOPE strategies in Hawaii.

Program Overview:

- If a probationer is having problems in general probation, s/he may be placed with HOPE
- A probationer who is having problems in HOPE, has failed at substance abuse treatment, and cannot stop using drugs, is placed with the Hawaii Drug Court.
- Analogizing Hawaii's justice system to a medical care system, general probation is like the outpatient clinic, HOPE Probation the medical-surgical wing, and Drug Court the Intensive Care Unit.

Veterans Treatment Court: Getting Back on Track



More than 100 teams gathered on August 17, 2019, at Fort DeRussy Beach for the 10th Annual Na Koa Wounded Warrior Canoe Regatta, including participants from the First Circuit Veterans Treatment Court. Judge Edward H. Kubo, Jr., second from right, and Veteran's Treatment Court Supervisor Jason Dupont (right) joined the Veterans Treatment Court participants who were there to honor and support wounded warriors and their families, as well as to salute the families of the fallen. Five competed in two quarter-mile double elimination races.

The mission of the Veterans Treatment Court (VTC) is to help veterans in the judicial system build positive, constructive lives, while holding them accountable for their conduct. The VTC partners with various community-based substance abuse, mental health, and veteran-specific service providers, and the Veterans Administration (VA) to help veterans and their families recover and regain chances for a successful future.

Studies show that VTC participants experience significant improvement in the areas of housing, social relationships, depression, post-traumatic stress disorder (PTSD), substance abuse, mental and emotional health, and overall functioning and well-being.*

Volunteer veteran mentors from every branch of military service understand the difficulties these men and women face, and play an integral role in the program's success.

For more information, visit the [Veterans Treatment Court page](#) on the Hawaii State Judiciary website, under the "Special Projects & Events" tab.

* *Community Mental Health Journal* (February 2016, Volume 52, Issue 2, pp 127-135) <http://link.springer.com/article/10.1007%2Fs10597-015-9845-9>

Continued on page 22

2019 Updates

Oahu Veterans Treatment Court

Since the Veterans Treatment Court (VTC) on Oahu launched in 2013, 42 participants have graduated. As of November 2019, 25 active clients were either in treatment or graduating from a treatment program.

Some of the issues Oahu veterans faced in 2019 include homelessness, post-traumatic stress disorder (PTSD), traumatic brain injury (TBI), anger issues, domestic violence, and drug and alcohol abuse.

The VTC works hand-in-hand with the United States Veterans Administration (VA) to acquire the resources, treatment, or housing veterans have earned. VTC also works with multiple treatment facilities outside the VA.

By the time veterans graduate from the program, they have completed treatment and are drug and alcohol free, have housing, are employed and/or in college, and have reconnected with family.

Referrals to the program from attorneys and probation officers remains steady.

The goal for 2020 is to continue to gather veterans in the criminal justice system and refer them to services. The Oahu VTC will also continue to work with veteran organizations to improve the quality of life for our veterans.

Maui Veterans Treatment Court

The Maui Veterans Court holds weekly review hearings and works collaboratively with prosecutors, defense attorneys, probation officers, mentors, the Vets Center for Combat Veterans, and the Veterans Administration.

This innovative program provides resources to veterans who need assistance with turning their lives around. For those who are eligible for housing (a primary issue for veterans) and other benefits and services, the court assists with the application process through the Department of Veterans Affairs.

The Maui Veterans Court is operated without state or federal funding and uses only existing Judiciary resources.

Because it does not receive federal funding, this court has not been limited by federal restrictions that exclude violent offenders. By accepting violent offenders, the court has been able to take cases that are often the most difficult to address.

Over the past decade, dozens of veterans have been helped, bringing much needed relief and assistance to them and their families.

“Behind every case number is a real person, and behind every person, there’s a story. If we are going to truly resolve a case, it’s important to do something meaningful. We need to get to the root of the problem and then work on solutions, rather than simply process the case.”

– Joseph E. Cardoza, Chief Judge of the Second Circuit (ret.)



Third Circuit Veterans Treatment Court staff, participants, and alumni joined Drug Court program volunteers and representatives from the Office of the Public Defender, and others in the 2019 Kailua-Kona Fourth of July Parade. The Big Island Drug Court float captured two awards: first place and Best Crowd Pleaser.

Big Island Veterans Treatment Court

In 2019, the Big island Veterans Treatment Court (BIVTC) celebrated its fifth year of operations. Volunteer veteran mentors continued working with the BIVTC participants to assist and guide them through the intensive court treatment regimen.

The BIVTC operated under a three-year federal grant from November 2014 to 2017. When the grant expired, the Judiciary and the Hawaii Island community committed to maintaining the program and the valuable support it provides veterans.

In addition to helping participants address addiction and mental health issues and regain the chance for a successful life, the program is also assisting participants find housing and employment.

To date, the BIVTC program has graduated 14 veterans.

Kauai Veterans Treatment Court

The Kauai Veterans Court (KVC) was established in November 2017. Its first client successfully graduated from the intensive treatment program on May 17, 2019

As of December 2019, there are three new clients participating in Kauai's VTC.

For more information on the Kauai Drug Court or the Kauai Veteran's Treatment Court, please call **(808) 482-2363**.

Special Thanks to All Volunteer Veterans Court Mentors

The Judiciary extends a special thanks to those veterans who now serve as volunteer veteran mentors in the Veterans Court programs in each judicial circuit. The mentors come from every branch of the military. They understand the difficulties men and women can face after leaving the service. The support they provide participants throughout the process of recovery is integral to the program's success.

DWI Court: Accountability, Treatment, Safer Streets

According to the Centers for Disease Control and Prevention, Hawaii has a high rate of fatal crashes that involve impaired driving, compared to the national average.* The Honolulu Driving While Impaired (DWI) Court Program was founded in 2013 to address an increase in fatal vehicle crashes involving drivers under the influence of alcohol. This nationally recognized program:

- Reduces individual recidivism rates
- Improves public safety on our roadways, and
- Saves taxpayer dollars otherwise spent on the arrest, prosecution, and imprisonment of these offenders.

Three national studies establish that benefits from DWI Court programs lasted for at least four years, well after participants' discharge from their programs.

Entry into the voluntary Honolulu DWI Court program requires the participant to plead guilty or no contest, but execution of the sentence is stayed pending compliance and completion of program requirements. The program involves regular court appearances before a designated DWI Court Judge, case management meetings, and participation in an individualized treatment program. Treatment includes alcohol and drug testing, individual and group counseling, and regular attendance at self-help meetings. During recovery, participants often make important personal improvements.

Just one drunk driver can have devastating impacts on many lives in our community, including pedestrians, bikers, pets, other drivers, family

members, and even the drunk driver themselves, with a cascade of consequences, including permanent physical disability or death, legal fees, property repairs, loss of wages and long-term earning potential, and liability paid out to victims and their families for injury and loss of life.

Since the program's inception in January 2013:

- 51 offenders graduated
- 12 offenders are currently enrolled
- 13 offenders either withdrew or were terminated from the program
- 8 offenders are in the screening process.

The program has demonstrated significant reductions in recidivism. DWI Court Program graduates show an 18 percent reduction in recidivism for subsequent OVUII (Operating a Vehicle Under the Influence of an Intoxicant) arrests and a 24 percent reduction in recidivism for subsequent §H.R.S. 291E-62 (Driving While License Suspended or Revoked for OVUII) charges in comparison to those who were eligible, but did not enter the program. Eighty percent successfully complete the intensive program and graduate.

In addition to the personal improvements that program participants experience during recovery, sustained substance abuse treatment and recovery also amounts to a social and economic benefit on participants who would likely have faced future arrests if not for intervention.

Research reported by the National Drug Court Institute finds that 25 percent of those arrested for

* *Centers for Disease Control and Prevention (2014a, December). Sobering facts: Drunk driving in Hawaii. Atlanta, GA: Centers for Disease Control and Prevention.*

and

National Highway Traffic Safety Administration (2018). Traffic Safety Facts 2017 Data: Alcohol-Impaired Driving. Washington, DC: National Highway Traffic Safety Administration.



Members of the Honolulu Driving While Impaired (DWI) Court Program: Deputy Prosecuting Attorney Mark Tom, DWI Court Case Manager Louisa Mose, District Court Judge Melanie May, DWI Court Coordinator Lisa Lum, and Medical Advisor Dr. William Haning. Not pictured - Deputy Public Defender Jerry Villanueva.

DWI become repeat offenders. Most interventions for repeat DWI offenders have produced mixed or nonsignificant results. Only programs that combine multiple service components, including substance use disorder treatment, intensive court or probation supervision, monitoring technologies such as interlocks, and driver's license restrictions, demonstrate consistent positive effects.**

This reduction in recidivism benefits the community by improving public safety on our roadways and saving taxpayer costs for arrest, prosecution, and incarceration.

The program has been assisted by federal grant funding through the Hawaii Department of Transportation. In addition to this funding, the DWI Court Program has recently secured additional funding through a partnership with Department of Health, Alcohol and Drug Abuse Division. The

** *National Drug Court Institute (2016). Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Courts in the United States. Douglas B. Marlowe, JD, PhD Carolyn D. Hardin, MPA Carson L. Fox, JD.*

DWI Court Program team anticipate that this new alliance will improve access to treatment in the community and support the recovery needs of program participants.

Special thanks to the Honolulu DWI Court partner organizations:

- *Hawaii State Department of Transportation*
- *Hawaii Department of Health, Alcohol and Drug Abuse Division*
- *Honolulu Police Department*
- *Department of the Prosecuting Attorney, City and County of Honolulu*
- *Office of the Public Defender*
- *Mothers Against Drunk Driving (MADD), Hawaii Chapter*

Mental Health Court

The Judiciary's First Circuit Mental Health Court (MHC) was established to address the particular needs of people with mental illness in the criminal justice system, and the difficulties associated with managing this population. Defendants with mental illness released to the community on supervision often have difficulty complying with the terms and conditions of probation. They may also have extensive treatment and service needs requiring supervision strategies that traditional courts are not designed to provide.

In 2019, the Mental Health Court continued to provide specialized management of mental health cases and supervised the majority of conditional release cases. This specialized case management support enables Adult Probation Officers to give more attention to their regular caseloads. It also helps the Mental Health Court/Unit provide a higher level of assistance to program participants so they can acquire needed resources and make a safe, stable transition back into the community.

Under the leadership of presiding Judge Matthew J. Viola, the MHC redirects offenders from jail to community-based treatment with intensive supervision to ensure public safety and to support the recovery of defendants diagnosed with severe mental illness.

Community treatment providers offer specialized care for participants requiring psycho-social rehabilitation, psychiatric treatment, substance abuse recovery, and other individualized treatment. Participants receive benefits ranging from treatment and supervision support, to reduced jail sentences, and possible early termination of probation or dismissal of charges.

Upon graduation, all defendants will have met required expectations and received effective treatment, indicating measurable progress and a sustainable plan for recovery. The MHC motivates participants through graduated sanctions, rewards, and incentives.

For [additional information](#), contact the Mental Health Court Program Administrator at **(808) 539-4500**.

Mental Health Summit 2019

Mental illness places a significant strain on Hawaii's health care, social services, law enforcement, and courts. Without clear and effective coordination between multiple agencies to help people suffering with mental illness acquire the treatment and services they need, many become homeless and cycle repeatedly through hospitals and the criminal justice system.

To explore new ways of effectively addressing the needs of this vulnerable population, while also easing the strain on Hawaii's social systems, the Judiciary joined the Office of the Governor in partnering with the State Justice Institute* to host a state-level summit on *Improving the Governmental Response to Community Mental Illness in Hawaii*.

The summit was held on November 6, 2019, at Aliiolani Hale, the Hawaii Supreme Court building. There were over 100 attendees representing the Judiciary, various state agencies, members of the Hawaii State Legislature, police and prosecutors from each county, the federal courts, the Hawaii Association of Criminal Defense Lawyers, local hospitals, and health service providers. They engaged in critical discussions on pre-arrest diversion to treatment and alternatives to fitness and competency exams for lower level offenses – two areas of focus that relate directly to intercepts zero through two of the Sequential Intercept Model (SIM) (a strategic planning tool for communities to improve their supervision of people with mental health and substance use disorders in the criminal justice system).

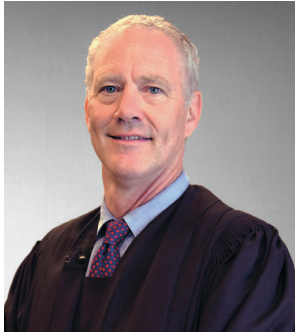
Distinguished national experts addressed common challenges and identified potential solutions. The Hon. Steve Leifman, Associate Administrative Judge of the Eleventh Judicial Circuit of Florida, delivered the keynote address on the significance of judicial leadership to improve community and court response to those with mental illness. He shared strategies Miami-Dade County has used to successfully steer people with mental illnesses, who do not pose significant threats to public safety, away from the criminal justice system and into community-based treatment.

A key takeaway for attendees was that a comprehensive solution for effectively managing the needs of people with mental illness requires collaboration among many different agencies. Following the summit, the Judiciary and the State Department of Health are responding to stakeholder feedback by considering opportunities for statewide SIM mapping.

Improving the Governmental Response to Community Mental Illness is part of a national initiative of the Conference of Chief Justices and Conference of State Court Administrators to help communities better meet the needs of people with mental illness and behavioral health issues, including those in the criminal justice system. This includes treatment, crisis care, initial contact with law enforcement, diversion, court proceedings, incarceration, and reentry into the community.

* *The State Justice Institute (SJI) was established by federal law in 1984 to award grants to improve the quality of justice in state courts, and foster innovative, efficient solutions to common issues faced by all courts.*

Criminal Pretrial Procedures Task Force and Correctional Justice Task Force Update



The Honorable Michael D. Wilson, Associate Justice of the Hawaii Supreme Court



The Honorable Rom A. Trader, Circuit Court Judge of the First Circuit (2009 - 2018)



The Honorable Shirley M. Kawamura, Circuit Court Judge of the First Circuit

Background

Pursuant to the 2016 Legislature's House Concurrent Resolution No. 85, H.D. 2, S.D. 1, Chief Justice Mark E. Recktenwald appointed Supreme Court Associate Justice Michael D. Wilson to lead a 13-member Correctional Justice Task Force to study effective incarceration policies and best practices used in other states and countries, and their costs. The task force was further charged with providing recommendations to the Legislature on ways to improve Hawaii's correctional system, as well as recommendations on the design of future correctional facilities.

Additionally, in response to the 2017 Legislature's House Concurrent Resolution No. 134, H.D. 1, the Judiciary convened a 30-member Criminal Pretrial Task Force led by First Circuit judges Rom A. Trader and Shirley M. Kawamura to measure the overall effectiveness of Hawaii's pretrial system, and identify and define best practices. From these findings the task force was to recommend revisions to current pretrial practices and procedures to protect public safety, while more effectively managing pretrial release of low-risk individuals.

In December 2018, both task forces delivered comprehensive reports with recommendations for legislative and administrative action.

Judiciary Follow-up

This year, the Judiciary began proactively implementing several of the recommendations of the Criminal Pretrial Task Force, including:

- Obtaining more information about each defendant's ability to afford bail.
- Creating an electronic reminder system for pretrial defendants released from custody to receive text reminders before their next scheduled court date to decrease the number of defendants that fail to appear in court. (See: "eReminder Service," page 58)

Statutory Changes

In 2019, the Hawaii State Legislature passed two measures based on many of the pretrial and prison reform task force recommendations, including:

Act 179 (HB1552) Relating To Public Safety

Establishes:

- A Correctional System Oversight Commission within the Hawaii Department of the Attorney General
- A Criminal Justice Research Institute under the Office of the Chief Justice of the Hawaii Supreme Court.
- A statewide program that permits the posting of monetary bail 24 hours a day, seven days a week for defendants for whom a monetary amount of bail has been set, to remove an administrative barrier that may have been a hindrance to pre-trial release.

Act 277 (SB192) Relating To Bail

- Authorizes the court to release a defendant in custody on unsecured bail
- Specifies what a court may consider in granting or denying unsecured bail.

These efforts, and others, will help Hawaii realize its goal of maximizing public safety, maximizing court appearances, and maximizing pretrial release of the accused and presumed innocent.

Supporting Children and Families

To promote the reconciliation of distressed juveniles with their families, render appropriate rehabilitation and punishment to offenders, and reduce juvenile delinquency, family law cases are managed through the state's family courts. The Judiciary also assists families and children in need through a variety of special programs and services.

Truancy Court

Truancy is a serious problem in the United States that may negatively impact the future of our young people. It has been identified as one of the early warning signs of delinquent activity and dropping out of school, and increases the risk of becoming involved with drugs, alcohol, or violence.

The Truancy Court Collaboration Pilot Project (TCCP) was launched in July 2015 by the First Circuit Family Court leadership team. The TCCP was a collaboration of the Judiciary, Department of Education, Department of the Attorney General, and the Office of the Public Defender. Waianae Intermediate School was selected as the site for the pilot project. It had the highest truancy rate among middle schools on Oahu. Each year since Truancy Court's implementation, school attendance by students in the program has increased dramatically.

Oahu Truancy Court

On Oahu, Truancy Court Officers dedicate one day per week to being on campus and meeting and following up with students identified by the school as being chronically absent or having the potential to be chronically absent. After meeting with Truancy Court Officers, most students improve their attendance and are able to avoid having to go to court.

During the 2018/2019 school year Truancy Court Officers met with 154 students on campus. Of those, only 13 went to court. Of those students, 62 percent improved in attendance and all but 3 were able to be released from the Truancy Court program before the start of the 2019/2020 school year.

Oahu Truancy Court is grateful for the valued support of its community collaborators:

- *Family Court Persons in Need of Supervision Unit (PINS)*
- *Waianae Intermediate School*
- *YMCA Outreach services (substance abuse)*
- *Kale Kipa (in-home mentoring)*

Hawaii Island Chronic Absenteeism Prevention Project



Keaau Middle School students participating in the Chronic Absenteeism Prevention Program (CAAP) celebrated their achievements with a graduation ceremony on May 20. Congratulating the participating students were (left) Third Circuit Chief Judge Greg Nakamura and Chief Justice Mark E. Recktenwald, (right) Complex Area Superintendent Chad "Keone" Farias, Third Circuit District Family Court Judge Darien Nagata (wearing lei), and Counselor Krissy Bajo. Judge Nagata, who spearheaded the program for the Judiciary, presided over the ceremony.

In August 2018, the Third Circuit (Hawaii island) launched its "Truancy Court" as the Chronic Absenteeism Prevention Project (CAPP). Its mission is to collaborate with families, schools and the community to improve school engagement and attendance by addressing the hardships and barriers facing students and their families through the use of positive, meaningful interventions and community connections, education, engagement, and enforcement.

CAPP is comprised of three tiers:

1. A watch list where the school works intensively with the families.
2. Court intervention by the Judiciary's Juvenile Probation Department and Salvation Army, and

3. Intensive court intervention involving more frequent contact with the student and family.

CAPP started the 2018-19 school year with 18 incoming sixth graders from Keaau Elementary and Mountain View Elementary schools. There were 10 girls and eight boys.

A multidisciplinary team was formed with representatives from Keaau Middle School, Keaau Complex school administration, a Keaau Complex school social worker, specialists from the Salvation Army, and members of the Judiciary's Juvenile Client Services Branch. The team met twice each month, discussed progress on all students and determined if students would move phases or be referred for additional services based on recommendations from the student's team and school personnel.

Continued on page 32

Graduation for the program's first cohort was held on May 20, 2019, to recognize 14 students for their achievements. Chief Justice Mark Recktenwald, Third Circuit Chief Judge Greg Nakamura and Family Court Judge Darien Ching Nagata, as well as members of the multidisciplinary team and parents attended to celebrate that:

- 75 percent of the graduates had improved attendance from the 2017-18 school year
- 25 percent of these were no longer chronically absent.

Any petitions that were filed and adjudicated were dismissed by the court at the end of the school year. None of the participants were placed on protective supervision with the Family Court.

The CAPP program will continue to work with incoming sixth graders who have been chronically absent. The three-tier format will continue to be used, with some adjustments based on first year experiences.

Chronic Absenteeism Prevention Project (CAPP) Partners:

- *Department of Education – Keeau Middle School*
- *Salvation Army*
- *Department of the Attorney General*
- *Department of Health*

Kauai Truancy Court

In partnership with numerous Kauai agencies and organizations, Hawaii's second Truancy Court Collaboration Pilot Project (TCCP) was launched in September 2017 to improve school attendance and family engagement on the Garden Island.

Under the leadership of Fifth Circuit (Kauai) Family Court Judge Edmund Acoba, the program aims to reduce truancy by addressing the hardships and barriers that students and their families face. Truancy Court uses positive, meaningful interventions that are culturally sensitive, and employs place-based community connections through education, engagement, and enforcement.

By encouraging family engagement, rewarding positive behavior, empowering students and also holding them responsible, the Truancy Court gives students the tools to make good choices and achieve their full potential.

2019 Updates

The Kauai Truancy Court maintains vital partnerships with representatives from the Department of Education's Mokihana program, Department of Health, the Prosecuting Attorney's Office, Attorney General's Office, Hale Kipa Student Attendance Support Service, Liliuokalani Trust, and the Kauai Police Department.

The Juvenile Client and Family Services Branch continued working collaboratively with the Department of Education's District Superintendent, Waimea High School, and Waimea Canyon Middle School, the program successfully expanded to include the East Complex with Kapaa Middle and Kapaa High Schools.

Kauai Truancy Court Engagements

2018-2019 School Year:

- Waimea Canyon Middle School: 13 students (1 changed schools)
- Waimea High School: 16 students (1 entered Job Corps)
- Number of Truancy Court petitions filed (Waimea schools only): 3
 - One dismissed
 - One adjudicated and aged out during summer 2019
 - One coming to court/not adjudicated

2019-2020 School Year (as of December 2019):

- Kapaa Middle School: 3 (4 referred/pending intake into School Attendance School Attendance Support Services (SASS), 3 declined services)
- Kapaa High School: 9
- Waimea Canyon Middle School: 9
- Waimea High School: 12

Girls Court

Girls Court is the Judiciary's innovative effort to stem the rising tide of female delinquency in Hawaii, where the proportion of female juvenile arrests has been significantly higher than the national average. Hawaii launched one of the nation's first Girls Court models in 2004 on Oahu and it has proven to be a remarkable success.

Girls Court provides gender-responsive programs and services that more effectively target at-risk and delinquent girls or boys who identify as female. It works on a strength-based model to develop healthy relationships among girls and their families, return girls to school or appropriate educational programs, and introduce them to employment training and other opportunities in the community.

The three components of the Girls Court program are comprehensive/intensive court supervision and support; therapy; and experiential activities. Family engagement is a key part of the program and opportunities to learn healthy communication skills and strengthen family connections are provided throughout the year.

Girls Court judges and staff regularly consult with members of the public, as well as people from other states who seek information on the successful practices of Hawaii's Girls Courts.

As of 2019, there are Girls Courts in 18 different jurisdictions nationwide, most of them based on similar principles and concepts adopted from Hawaii.

2019 Updates

Oahu Girls Court

In September, the Oahu Girls Court celebrated 15 years of proudly serving the community. Since the program's inception, over 240 youth and 277

family members have received assistance. Girls Court provides direct one-to-one support and services, collaborating with community providers and partnering with numerous agencies to assure that the necessary time and efforts are invested to address their needs, and to set a foundation for their future as successful, responsible adults in our community.

The demographics of Girls Court and the services provided have significantly changed over the years. In the beginning, to develop and expand "gender specific" programming for girls in the juvenile justice system, Girls Court focused on girls and families deemed to be low risk.

Today, Girls Court serves girls and families that are moderate to high risk, which has increased the intensity of the services the program provides. This includes working closely with public and private agencies so that existing resources may be better tailored to the needs of the girls and their families. This allows for a more intensive and individualized, "wrap-around" case management.

Girls Court had a shortage of probation officers (POs) for a significant period of time. All PO positions are now filled and Girls Court is fully staffed. As a result, the program was able to accept many new youth in 2019.

J-Cohort (Juvenile Cohort)

The Oahu Girls Court started its 16th J-Cohort in September. The girls and their families have committed to participate in a one-year program that includes, pro-social activities, group therapy, individual therapy, community service activities, and other components that may be specific to each girls' needs.

Commercial Sexual Exploitation of Children (CSEC) Sub-Group

The commercial sexual exploitation of children (CSEC) is a serious problem nationwide. The Missing Child Center of Hawaii recently reported that 70 percent of the youth referred to them have some sort of CSEC involvement. Most of them have a long history of abuse and neglect and have multiple levels of involvement with the legal system and child welfare services.

For nearly two years, Girls Court has worked with confirmed CSEC youth to eliminate any further trafficking or recruitment. Stay-away orders are entered when appropriate. Significant time and effort is put into individualized programming and coordination within this sub-group by Girls Court staff, including the presiding judge.

Girls Court continues to work on developing its CSEC sub-group programming to successfully implement multi-systemic partnerships with Family Court systems; federal and local law enforcement agencies; the Department of Human Services/Child Welfare Services; Department of Health; Department of Education; and advocates and community providers to address the needs of these girls.

The following services/agencies have collaborated with Girls Court to provide a wrap-around approach not only to support the youth and families therapeutically, but also to provide experiential activities and community assistance:

- Susannah Wesley Community Center (SWCC) / Trafficking Victim Assistance Program (TVAP)
- The Sex Abuse Treatment Center (SATC)
- Kahi Mohala
- Hale Kipa

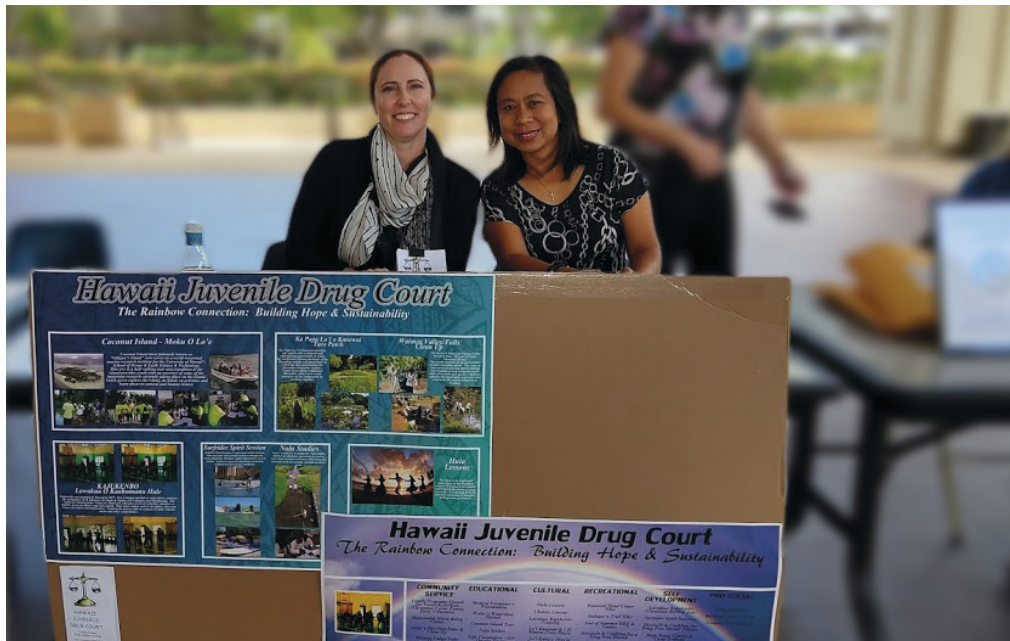
- Parents and Children Together (PACT)
- Ola Hou Clinic
- Eagala Therapy (Equine Therapy)
- Department of the Prosecuting Attorney Victim Witness Kokua Services
- Children's Justice Center (CJC)
- Missing Child Center – Hawaii
- National Center for Missing and Exploited Children (NCMEC)
- Hawaii State Department of Health - Kealahou Services
- The Institute For Family Enrichment (TIFFE)
- Lavender Clinic/Hawk Health, LLC
- Catholic Charities
- No Ho Olu Safe House (NOSH) for Girls (Hilo, Hawaii)

Kauai Girls Court

Since its inception in February 2015, Kauai Girls Court has assisted a total of 16 girls and their families.

The program's fifth cohort of three girls was inducted in August. The Kauai Girls Court continues to provide individual, group, family counseling sessions, monthly activities, and quarterly community service projects with parental participation.

Juvenile Drug Court



From left, Juvenile Drug Court Supervisor Bridgette Bennett and Social Worker Evelyn Mizukami provide information on their programs and services to court visitors and the public at the First Circuit National Drug Court/Mental Health Month Community Resource Fair, May 15, 2019.

The Oahu Juvenile Drug Court (JDC) was established in 2001. It strives to enhance the effectiveness of Hawaii's juvenile justice system and its substance abuse service delivery and treatment through early and consistent intervention, and by diverting individuals struggling with addiction from further involvement with the juvenile and/or criminal justice system.

The JDC also works to ensure public safety and to protect minors and/or their family members from further trauma. Most, if not all, JDC clients have experienced some form of trauma and issues related to trauma, including sex abuse, commercial sexual exploitation, physical, psychological, and emotional abuse. These adverse childhood experiences are strongly linked to deviant behavior and/or substance abuse. At times, close family

members experience the same trauma the client has experienced, consequently affecting the familial relationships and connections.

The JDC program accepts both medium-risk, medium-needs clients and high-risk, high-needs clients, treating substance abuse problems combined with delinquent behaviors.

Track I: Clients are in administrative monitoring. The monitoring is less intensive and diversion to other community programs is endorsed.

Track II: Clients are adjudicated for non-violent offenses, including petty misdemeanors, misdemeanors, and felonies. Court hearings are frequent, ranging from once a week to once a month. Juveniles receive intensive probation, case management, and treatment services. This

also includes weekly and random alcohol and drug testing. Assessments are conducted periodically and reported to the presiding judge on a weekly basis during the client's court hearings. The program further provides intensive substance abuse counseling, pro-social activities, and mentoring. As clients progress, monitoring becomes less intensive.

Track III: To expand access to JDC services, the program has implemented a new Track III within the past two years for violent felony offenders (sex offenders are excluded). These clients have frequent court hearings; intensive case management; weekly alcohol and drug testing; drug assessments and treatment services; family therapy; individual mentoring, and incentive programs. In addition, they receive specialized treatment services, such as Anger Management Treatment (ART), anger management group, and/or multi-systemic therapy. They are excluded from group activities and pro-social activities until they are reassessed and evaluated for lesser substance abuse care.

Clients graduate from the JDC program with positive energy, better self-esteem, and a sense of accomplishment.

2019 Updates

Because of an increase in Track III admissions, JDC met its goal of reaching capacity before the end of the 2019 fiscal year. The program is now seeing more juveniles and families than it has ever serviced.

In 2018, the Oahu Juvenile Drug Court had the lowest recidivism rate since the program began. As of 2019, alumni recidivism rates are 15 percent, with a success rate of approximately 85 percent.

Children's Justice Program / Hawaii Children's Justice Centers

The Hawaii Children's Justice Program was established in 1988 within the Hawaii State Judiciary. The program is an accredited member of the National Children's Alliance which comprises more than 700 Children's Advocacy/Justice Centers nationwide. The program is administered through the Children's Justice Center (CJC), which is part of a multidisciplinary team of professionals who coordinate investigations and legal processes for children who are victims of and witnesses to crimes. It provides for the special needs of these children, preventing unnecessary trauma and ensuring justice.

CJC operates facilities where children who may be victims of sexual abuse/exploitation, serious physical abuse, or sex trafficking, or witnesses to a crime, are interviewed by investigators in a child-friendly and safe setting.

In this environment, children and families interact with specially-trained professionals who address their physical, mental, and emotional needs.

The centers are geographically dispersed to meet the needs of children statewide:

- Oahu
- East Hawaii island
- West Hawaii island
- Kauai
- Maui
- Satellite sites on Lanai and Molokai.

Friends Make it All Possible

A unique feature of the Centers is the public/private partnerships between the Judiciary and the community. Originally founded by local Rotary Clubs, each neighbor island center is supported by their Friends of the Children's Justice Center, a nonprofit organization that provides resources for the centers, the professionals who work with victims, and the children and families served by the programs.

Partner Agencies

- The Department of Human Services Child Welfare Services
- The County Police Departments
- Offices of the Prosecuting Attorney
- Victim Witness Assistance programs
- The Department of the Attorney General
- Crisis Counseling and Medical Services
- Treatment providers
- Community volunteers
- The Armed Forces
- The Federal Bureau of Investigations
- Homeland Security Investigations
- U.S. Attorney's Office

Hawaii Children’s Justice Centers Statistics

Children’s Justice Centers (CJC)	Total Children Served for Fiscal Year 2018-19	Total Number of Child Interviews for Fiscal Year 2018-19
CJC Oahu	1,270	502
CJC East Hawaii	271	118
CJC West Hawaii	227	77
CJC Maui	382	136
CJC Kauai	233	60
Total	2,383	893

- More than 50 percent of reported victims of crime are under 18 years of age.
- Research shows that one in four girls and one in six boys may be sexually assaulted by the time they are 18.
- On average, the Children’s Justice Centers provide services to approximately 1,000 children per year.
 - These statistics are not a true reflection of the magnitude of the problem because child abuse is often not reported. Some studies conclude that only 10 percent of children “tell”, especially related to sexual abuse.

Stewardship in our Communities

The Hawaii State Judiciary provides services that promote justice for members of our community with extraordinary challenges.

Community Outreach Court



The Community Outreach Court (COC) is designed to help residentially-challenged individuals charged with quality-of-life related offenses such as park use and traffic violations to clear their criminal records and obtain basic services and necessities (e.g., food and shelter). Entry to the program is voluntary, and available to only nonviolent offenders.

Although the cases frequently involve minor criminal matters, a criminal record or outstanding bench warrant can prevent someone from getting a job or obtaining or renewing a driver's license, factors which contribute to circumstances that may result in homelessness.

The COC combines accountability with treatment options to reduce crime and recidivism through alternative sentences (e.g., community service). It also provides immediate connection with community-based social service providers to participants who may have difficulty seeking assistance for quality-of-life issues. The providers are invited to attend all COC sessions where they can meet in private with participants and help them obtain medical care, treatment, counseling, and other support.

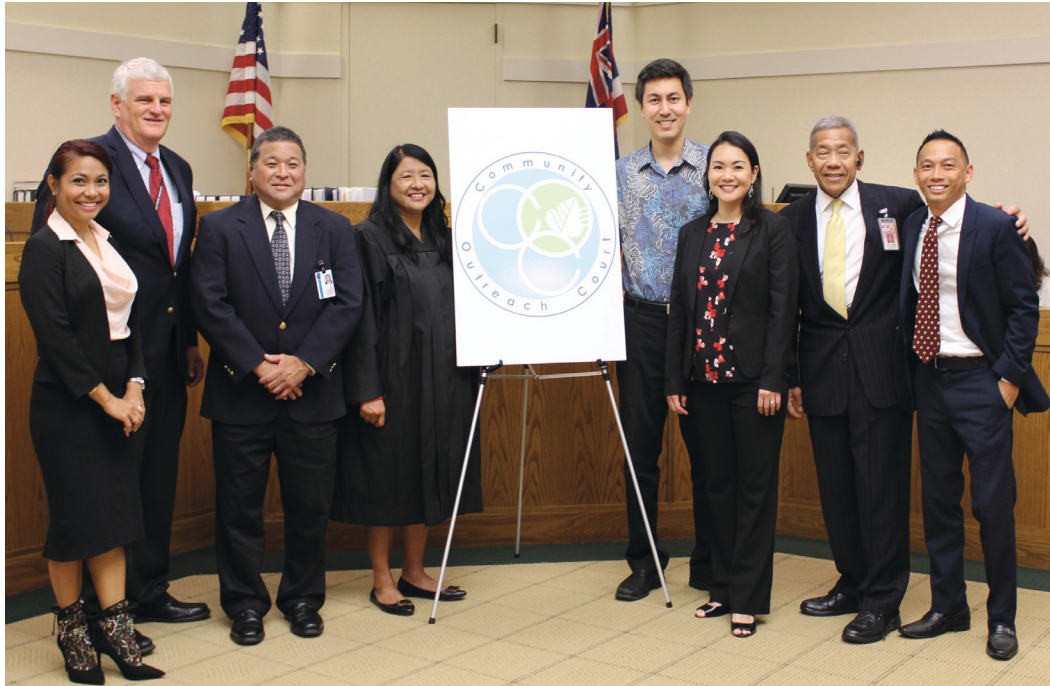
Individuals wishing to work toward clearing their cases may apply through the State Office of the Public Defender to become COC participants. Applicants must undergo a background check and screening by both the Public Defender and the Honolulu Department of the Prosecuting Attorney.

Under the COC model, the court holds hearings on cases for which the Prosecuting Attorney and Public Defender have negotiated a plea agreement on the disposition of the defendant's outstanding charges and bench warrants. Proposed disposition of cases may include a fine, community service, court-ordered treatment, or other court-ordered conditions. A motion for change of plea is placed on the COC calendar with appropriate notice to the parties and is subject to approval by the court.

The Mobile Court

The COC was formally established by Act 55, Session Laws of Hawaii 2017 (Senate Bill No. 718, C.D. 1), which mandates that the program take its operations out into Oahu's rural communities, making the court more accessible for its target participants – specifically, nonviolent misdemeanor offenders who are homeless.

The mobile court model is unique to the COC in that operations are actively brought into the neighborhoods closest to the people who can benefit from the program's services. This approach helps courts overcome obstacles that prevent legal matters from being resolved, includ-



The first day of Community Outreach Court at Kaneohe District Court, June 10, 2019. From left, Deputy Public Defender Merlinda Garma, Chief Justice Mark E. Recktenwald, State Public Defender Jack Tonaki, COC Judge Darolyn Lendio, State Rep. Scot Matayoshi, State Rep. Lisa Kitagawa, Deputy Chief Court Administrator Calvin Ching, and Deputy Prosecuting Attorney Mark Tom, were all smiles after the launch of the newest Community Outreach Court. (Photo courtesy of Kiona Esteban, Rep. Matayoshi's Office.)

ing transportation challenges faced by defendants who must travel long distances to appear in court, feelings of intimidation caused by formal court settings, and lack of understanding of the legal process that may deter people from coming to court.

The first COC hearings were held at the Honolulu District Court. In December 2017, COC hearings mobilized to the Wahiawa District Court. By September 2018, the COC had convened in a non-traditional court setting at the Waianae Public Library. The program further extended its services to windward Oahu at the Kaneohe District Court in June 2019.

2019 Highlights

COC team members regularly performed in-the-field homeless outreach in both Honolulu and rural communities. They visited the Waianae Boat Harbor homeless encampment, the encampments at Kakaako Waterfront Park, and others.

Throughout the year, the COC team participated in various conferences, workshops, and training activities. They organized islandwide outreach events to spread the word to community partners about COC services, and to expand the network of organizations and agencies that can serve as a support system for homeless individuals.

COC has engaged in new activities and initiatives, including:

- Expanding homeless outreach efforts across the island by teaming up with the Joint Outreach Center, Iwilei Rest Stop, and Honolulu Police Department's H.E.L.P. and LEAD programs.
- Organizing and conducting a site visit and informational briefing for the Judiciary's Second, Third, and Fifth District Courts to share information and explore possibilities for establishing COC programs on Maui, Kauai and Hawaii island.

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Community Outreach Court (cont.)

- Continuing to explore suitable sites and venues for future expansion of mobile court operations.
- Sharing experiences and best practices with other jurisdictions on the mainland that have taken note of the program's success and may be interested in modeling future projects on Hawaii's COC.

Challenges

The COC is working to address a number of issues unique to its mission and responsibilities, including:

- Community-based locations do not provide many of the essential resources found in traditional courtrooms, such as meeting areas, equipment, and personnel (court clerks, bailiff, judge, etc.).
- Transportation of personnel and equipment into non-traditional court settings located within rural communities to sustain and expand the mobile-COC program.
- Sustaining the resources to fully implement functions relating to intake, outreach, information technology, maintenance, public affairs, etc., to assist individuals with any life issues that extend beyond just disposing of outstanding cases and warrants.

Next Steps

The COC will continue to explore opportunities for expanding to new locations in non-traditional settings in rural Oahu. It will also continue working to engage community partners and service providers to grow and strengthen the support network for court participants.

Statistics

Data provided by the Prosecutor's Office and Office of the Public Defender shows that from January 2017 to June 2019:

- 159 individuals participated in the program:
- 22 individuals were removed from the program (no contact, lost contact, failed to participate, felt program was not right for them)
- 24 were pending completion of program
- 110 completed program
- 91 percent of all program participants performed some community service hours toward the completion of their sentences.
- 1,862 cases no longer active
- 3,508 community service hours completed by 147 participants
- 1,183 driver's license stoppers lifted
- 351 bench warrants recalled for 61 people
- Distribution of COC participants:
 - Honolulu: 96
 - Wahiawa: 31
 - Waianae: 27
 - Kaneohe: 5

Community-based Partner Organizations

The Community Outreach Court's community-based partners include but are not limited to:

- Honolulu: EPIC Ohana, H4 Hawaii, Hawaii Health & Harm Reduction Center (former CHOW Project), Honolulu City & County Rent to Work Program, Institute for Human Services, Honolulu Police Department H.E.L.P., Kalihi-Palama Health Center, Mental Health Kokua, Partners in Development
- North Shore: Waialua Community Association
- Oahu-wide: Hawaii Lions Club, HieHie, Legal Aid Society of Hawaii, Partners In Care, Volunteer Legal Services Hawaii
- Wahiawa: ALEA Bridge
- Waianae: Catholic Charities Hawaii, Hale Naau Pono, Honolulu Community Action Program, Partners in Development Foundation, U.S. Department of Veterans Affairs, Waianae Public Library, Waianae Neighborhood Place
- Windward: Pacific American Foundation, Windward Community College

Office of the Public Guardian

The Office of the Public Guardian (OPG) is a state-wide program providing guardianship services for incapacitated persons for whom no suitable guardian is otherwise available.

OPG's staff includes a statewide director, social workers/guardians, and accounting and other support staff.

It designates a standby guardian to make emergency medical decisions for its wards, after-hours and on weekends and holidays.

OPG also serves as finance manager for its clients, assisting them in obtaining entitlement benefits such as Social Security.

Guardianship cases are often complex and challenging due to the growing numbers of OPG clients who are frail, elderly and medically compromised, or mentally ill and unstable. The complexity and multiplicity of issues requiring decision-making may include major health / medical care intervention, disposition of property and financial assets in the absence of a conservator or finance manager, procurement of financial entitlements to cover the cost of care, and management of placement options and needed services.

As of December 2019, there were 785 statewide OPG cases:

- *Oahu: 689*
- *Maui County: 31*
- *Hawaii Island: 49*
- *Kauai: 16*

Language Assistance Services

Many people who come before the court or who receive Judiciary services need language assistance to meaningfully participate because of limited English proficiency or speech or hearing impairments. The Hawaii State Judiciary is committed to providing access to court processes and services through language support and assistance.

According to U.S. census data, one in four Hawaii residents speaks a language other than English at home, and one in eight is considered limited-English proficient (LEP). This underscores the importance of the Judiciary providing resources to language services for court customers each year.

Court interpreters are provided, free of charge, for anyone with a substantial interest in any type of court case, including defendants, parties, and witnesses. Interpreters help ensure that LEP persons can meaningfully participate in their court case.

The Judiciary pays the costs of sign language interpretation or computer assisted real-time transcription for persons who are deaf or who have a speech or hearing impairment, in accordance with the Americans with Disabilities Act (ADA) and the ADA Amendments Act of 2008 (ADAAA).

Language services are provided at all points of contact with the public, including in-person and telephone encounters.

The Judiciary's Office on Equality and Access to the Courts (OEAC) has improved and increased the services available to Hawaii's growing LEP population by:

- Providing interpreting services for LEP clients in as many as 50 languages

- Translating court forms from English into as many as 10 of the languages most frequently encountered in Hawaii state courts
- Conducting statewide mandatory staff training on language access services for all Judiciary staff.

In 2016, Hawaii ranked first in the nation for its support for people with limited-English proficiency.*

* *Justice Index 2016 Findings, from the National Center for Access to Justice*

Language Interpreting in the Courts

Language interpreters play an essential role in the administration of justice. The Hawaii state courts use interpreters when a party or witness in a court case has limited-English proficiency or cannot hear, understand, speak or use English sufficiently to effectively participate in court proceedings. Interpreters help ensure equal access to justice and help court proceedings function efficiently and effectively.

The Judiciary annually provides interpreters for more than 10,000 court proceedings and continues to expand its pool of qualified, freelance interpreters in a multitude of high-demand languages.

There are more than 400 interpreters in the Judiciary's Court Interpreter Certification Program.

The Court Interpreter Certification Program

The Court Interpreter Certification Program promotes and ensures equal access for limited-English proficient persons by providing the most qualified interpreters available, at no charge, for court proceedings. The program also strives to expand and improve the Judiciary's pool of qualified interpreters by establishing a minimum standard for court interpreter certification and coordinating screening, training, and testing of interpreters.

Training the Pacific Judicial Council

Hawaii's Court Interpreter Certification Program is viewed as a model for other jurisdictions. OEAC Program Director Debi Tulang-De Silva was invited by the Pacific Judicial Council to conduct a three-day, advanced interpreting skills building workshop for approximately 40 Pacific Island court interpreters and court staff in Pohnpei, Federated States of Micronesia, in November 2019. Over the years, Tulang-De Silva has been invited to provide training for sister island court jurisdictions belonging to the Pacific Judicial Council on the Judiciary's Court Interpreter Certification Program, use of court interpreters, and the provisions of language access. The Pacific Judicial Council is a regional organization of judicial officers from Guam, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia (FSM) and the states of Chuuk, Kosrae, Pohnpei, and Yap, American Samoa and the Republic of Palau.

Providing Language Access for Victims of Domestic Violence

Hawaii's significant limited-English proficient (LEP) population and the growing number of temporary restraining order (TRO) cases in Family Court served as an impetus for creating the Judiciary's *Providing Language Access for Victims of Domestic Violence Project*.

The Office on Equality and Access to the Courts conducted eight training sessions for 75 community and justice system stakeholders on Maui, Kauai, and in Kona and Hilo, as well as four trainings on Oahu. Building on the 2017 Multilingual Temporary Restraining Order Project, the trainings introduced translations of the "Protective Orders" section of the Judiciary's website, which will be available in 10 languages with audio recordings to assist LEP victims of domestic violence.

The project also produced a 2-D animated video providing important information about the TRO process to help victims of domestic violence successfully file for a TRO in the Family Court of the First Circuit. OEAC hopes to produce the video in other languages as funding permits.

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Language Assistance Services (cont.)

Hawaii State Judiciary High-Demand Interpreted Languages Statewide Fiscal Year 2018		
Rank	Language	Number of Proceedings
1.	Chuukese	3,543
2.	Ilokano	1,413
3.	Marshallese	1,183
4.	Korean	827
5.	Spanish	731
6.	Tagalog	515
7.	Vietnamese	500
8.	Mandarin	485
9.	Japanese	437
10.	Samoan	274
11.	American Sign Language (ASL)	268
12.	Tongan	260
13.	Pohnpeian	205
14.	Cantonese	199
15.	Russian	102
Total Interpreted proceedings = 11,332		

Office on Equality and Access to the Courts

The Judiciary's Office on Equality and Access to the Courts (OEAC) develops, implements, and administers statewide programs and policies relating to access to the courts for linguistic minorities. The office recruits, registers, educates, and tests interpreters.

For more information, contact:

Office on Equality and Access to the Courts

Hawaii State Judiciary
426 Queen Street, Room B17
Honolulu, Hawaii 96813-2914

Phone: (808) 539-4860
Facsimile: (808) 539-4203
E-mail: OEAC@courts.hawaii.gov

Expanding Use of the Hawaiian Language

“English and Hawaiian shall be the official languages of Hawaii, except that Hawaiian shall be required for public acts and transactions only as provided by law.”

- Article XV, Section 4 of the Hawaii State Constitution

Hawaiian Language Interpreter Policy

Article XV, Section 4 of the Constitution of the State of Hawaii established English and Hawaiian as the official languages of the state.

The Judiciary supports the preservation of Hawaiian language and culture, as described in its Hawaiian Language Interpreter Policy for using the Hawaiian language in courtroom proceedings:

The Judiciary will provide or permit qualified Hawaiian language interpreters to the extent reasonably possible when parties in courtroom proceedings choose to express themselves through the Hawaiian language.

This year the Judiciary continued efforts to expand its use of the Hawaiian language.

Bailiff Calls

In January 2019, the Hawaii Supreme Court and the Hawaii Intermediate Court of Appeals implemented the practice of calling all cases in Hawaiian and English.

Members of the public can hear examples of this practice by listening to the first few minutes of any of the recordings of the Supreme Court or Intermediate Court of Appeals oral arguments from January 2019 to present, online at:

www.courts.state.hi.us/courts/oral_arguments/recordings_archive

In June, Second Circuit Chief Judge Joseph E. Cardoza (ret.) began having his courtroom cases called in Hawaiian and English.

Expanding Use of the Hawaiian Language and Recruitment of Hawaiian Language Interpreters

The Judiciary's Office on Equality and Access to the Courts (OEAC) continued its efforts to recruit and train Hawaiian language interpreters to assist parties in court proceedings who express themselves in Hawaiian. To date, six Hawaiian language interpreters have completed all of the requirements to serve as a Tier 1/Registered interpreter in court.

To become a Tier 1/Registered interpreter, applicants must 1) Attend the Basic Orientation Workshop, 2) Pass both the written English Proficiency Exam and Hawaii Basic Ethics Exam, and 3) Clear a state-based criminal history record check.

There are currently a total of five Hawaiian interpreters serving the Second Circuit (Maui County), Third Circuit (Hawaii island) and Fifth Circuit (Kauai), one Niihau-Hawaiian interpreter, and no Tier 1 Hawaiian interpreters for the First Circuit (Oahu).

OEAC has been collaborating with the Ka Haka Ula Keelikolani College of Hawaiian Studies at the University of Hawaii-Hilo and the Hawaii Office of Language Access to support the development of an oral exam for Hawaiian language court interpreters that would be recognized as an alternative credential for qualification.

Continued on page 48

Expanding Use of the Hawaiian Language (cont.)

Ongoing Staff and Judicial Trainings



A slide from the online Hawaiian language training module that will be offered to Judiciary staff and judges in 2020.

The Judiciary responded to [House Resolution \(HR\) No. 110 \(2018\)](#), *Urging the Usage of Hawaiian Language When Referring to the Names of Places and Geographical Features in Hawaii*, by conducting Hawaiian language trainings for approximately 930 staff and judges statewide between September 2018 and June 2019.

The trainings included instruction on the correct pronunciation of Hawaiian place names and geographical features, as well as the use of okina* and kahako* in the spelling of Hawaiian place names. In addition, Hawaiian language resources, including instructional materials, videos, and other useful information, were made available for all staff to reference.

The training was also made available to the public at the July 3 Friends of the Judiciary History Center Annual Membership Meeting.

The Judiciary is now working on an interactive Hawaiian language e-learning module that can be used online by new hires and those who were unable to attend the in-person trainings that took place over the past year.

Additional staff trainings are planned for 2020.

** Diacritical marks used in Hawaiian language words have been omitted from this report to ensure online compatibility with screen reader programs, as required by the Americans with Disabilities Act.*

The Hawaii State Judiciary recognizes the importance of proper use of the Hawaiian language, including the okina and kahako in Hawaiian words, names, and place names, and continues to use them outside of the online environment.

Hawaiian Language Education Specialist Now on Board

The Judiciary established a full-time Hawaiian Language Education Specialist in 2019 to further support its ongoing Hawaiian language activities.

This position is located in the King Kamehameha V Judiciary History Center. The duties include:

- Developing curriculum, instructional learning units and conducting school tours for Hawaiian Language Immersion schools
- Translating the Center's educational materials from English to Hawaiian and from Hawaiian to English
- Assisting with:
 - The curation of the Center's Hawaiian language documents
 - The translation efforts by the Judiciary of user materials, including forms and online content to Hawaiian
 - The Judiciary's efforts to create a Hawaiian language court interpreter oral exam; and
 - Efforts to expand the Center's Education Program.

Kapiolani Community College Hawaiian Translation Project

The OEAC is collaborating with Kapiolani Community College on a project that will translate the Judiciary's Language ID Card and *How To Request an Interpreter* sheet into Hawaiian.

The Judiciary receives no specialized funding for Hawaiian language initiatives, but has utilized existing resources and volunteer assistance from the community to pursue meaningful efforts to expand the use of the Hawaiian language in Judiciary departments and the courts.

Natural Resources and the Environment

The goal of the Hawaii Environmental Court is to ensure the fair, consistent, and effective resolution of cases involving the environment.

Environmental Court



From left, attorney Lance Collins, Sierra Club-Hawaii Executive Director Marti Townsend, Second Circuit Chief Judge Joseph Cardoza, Jan Dapitan, Associate Justice Michael Wilson, and Maui Sen. Gil Keith-Agaran reflected on the great strides made by the Second Circuit's Environmental Court at the June 19, 2019 ceremony recognizing its fourth year of operation.

With the passage of Act 218, Session Laws of Hawaii 2014, Hawaii became the second state in the nation with a statewide environmental court.

Under Hawaii Revised Statutes Chapter 604A, Hawaii's Environmental Courts have broad jurisdiction, covering water, forests, streams, beaches, air, and mountains, along with terrestrial and marine life.

The Environmental Courts were successfully implemented due to the collaboration and support of the:

- County corporate counsels
- County police departments
- Prosecuting attorneys
- Office of the Public Defender
- Private defense bar
- Department of the Attorney General
- Department of Land and Natural Resources, Division of Conservation and Resources Enforcement
- Court administrators
- Chief judges
- District and circuit court judges assigned to the Environmental Courts.

Environmental Court: Charges Filed in Circuit Court
July 1, 2018, to June 30, 2019 - by Type of Charge

Charge Codes	First Circuit	Second Circuit	Third Circuit	Fifth Circuit	Statewide Totals
• HRS 183D-26(a) Hunting on private lands prohibited	0	2	0	0	2
• HAR 13-209-4(11) Motor/Water Vehicle Prohibited	0	1	0	0	1
• HAR 13-104-9 Forestry - Firearms and Other Weapons	0	1	0	0	1
• HRS 183D-27 Night hunting on private lands prohibited	0	0	2	0	2
• HAR 13-124-3(a)(1) Prohibited Activities - Catch/Sell	0	0	1	0	1
• HAR 13-146-4 Closed Park Area	0	0	1	0	1
• HAR 13-124-11(a)(1) Take/Sell Endangered Species	0	0	0	1	1
• HAR 13-232-58 Sleep/Camp Prohibited - Small Boat Harbor	0	0	0	1	1
All Charges Filed	0	4	4	2	10

There were 10 cases filed in the Circuit Court Environmental Court: 0 in First Circuit (Oahu) 4 in Second Circuit (Maui, Molokai, and Lanai); 4 in Third Circuit (Hawaii island); and 2 in Fifth Circuit (Kauai).

Natural Resources and the Environment (cont.)

Environmental Court: District Court Case Initiations
July 1, 2018, to June 30, 2019 - by Type of Charge

	First Circuit	Second Circuit	Third Circuit	Fifth Circuit	Total
• Fishing & Marine Life Violations	114	65	50	16	245
• Open Fires	10	0	1	3	14
• Endangered species / preservation of public property	7	7	0	1	15
• Weapons & Firearms	0	4	9	0	13
• Motor Vehicles	108	29	45	1	183
• Public Order	184	23	177	54	438
• Alcohol & Drugs	10	2	44	0	56
• Hunting Related	0	17	19	0	36
• Animal Control	7	2	5	0	14
• Boating & Boat Operation	67	57	53	0	177
• Litter & Pollution Control	4	1	5	0	10
• Other	51	9	9	2	71
All Charges Filed	562	216	417	77	1,272

Parking violations are now excluded from the list of charge codes included in the Environmental Court; the remaining motor vehicles charge codes relate to the use of motor vehicles, e.g., on trails where they are not allowed.

Settling Disputes Without Going to Court

The Judiciary strives help people resolve legal disputes without going to court. Alternative dispute resolution helps parties avoid the cost of litigating in court, often resulting in faster resolutions, and helping preserve relationships. Mediation, arbitration, hooponopono, facilitation, and coaching provide alternatives to litigation.

Center for Alternative Dispute Resolution

Hawaii's Judiciary has been at the forefront of the alternative dispute resolution (ADR) movement. ADR processes place decisions in the hands of disputing parties while encouraging discussion and collaborative exploration of mutually acceptable solutions.

Since 1980, the Judiciary has used the services of community mediation centers, sponsored research on family and juvenile restitution mediation, and supported the development of community-based mediation and arbitration projects.

Today, the Judiciary actively supports the growth of ADR processes to resolve disputes and increase access to justice through its Center for Alternative Dispute Resolution (CADR). CADR promotes alternative dispute resolution with direct services, training, education, and outreach throughout Hawaii.

The Judiciary also provides free mediation services for all small claims and residential landlord-tenant cases statewide.

Highlights: Fiscal Year 2018 - 2019

Appellate Mediation Program

The Appellate Mediation Program (AMP) offers free mediation in selected civil cases on appeal. The program, which began in 1995, provides an alternative to appellate litigation. The cases may be selected for mediation or a party may request to participate. Retired judges and attorneys appointed by the Hawaii Supreme Court serve as volunteer mediators. The appeal is temporarily stayed during the mediation. A variety of cases are resolved through the program, including foreclosure, landlord-tenant, business, and divorce cases.

Through June 2019, the Appellate Mediation Program has handled more than 720 cases, with nine active (pending mediation). The program is effective, with a settlement rate of more than 50 percent.

Of the 711 cases that have concluded, 378 (53 percent) resulted in settlements. Of these settlements, 350 (92.5 percent) were complete settlements of all issues and claims, and 28 (7.4 percent) were partial settlements.

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Settling Disputes Without Going to Court (cont.)

Training, Education, Research, & Outreach

For State and City and County employees:

- Working It Out: Skills for Managing Conflict
- Foundation for Collaborative Leadership: Building a Toolbox
- Foundation for Collaborative Leadership: Communicating for Productive Results with Appreciative Inquiry
- Handling Difficult Situations in the Workplace
- Mediation in the Workplace – An Overview of the Mediation Process
- Planning and Facilitating Effective Meetings

For the public:

- Girl Scouts – Finding Common Ground through Mediation/ADR, January 2019
- Compassionate Listening Workshop, January 2019
- Youth Outreach - Aliamanu Middle School, November 2019

Partnerships

CADR collaborates with legal and alternative dispute resolution organizations to co-sponsor seminars and lectures for the legal community and the public. CADR is grateful for its partnerships with:

- Hawaii State Bar Association – ADR Section
- Association For Conflict Resolution – Hawaii Chapter
- Native Hawaiian Bar Association
- The Mediation Center of the Pacific
- University of Hawaii at Manoa Matsunaga Institute for Peace and Conflict Resolution
- Accord3.0
- The Hawaii Friends of Restorative Justice

Center for Alternative Dispute Resolution

For those seeking a private resolution of their cases without the uncertainty, stress, time, and expense often involved in litigation, alternative dispute resolution, including arbitration (non-binding), settlement conferences (conducted by judges), and mediation may be the answer. For more information contact:

The Center for Alternative Dispute Resolution

Aliiolani Hale

417 South King Street, Room 207

Honolulu, Hawaii 96813

Phone: (808) 539-4ADR (4237)

E-mail: CADR@courts.hawaii.gov

Web: www.courts.state.hi.us/services/alternative_dispute/alternative_dispute_resolution

Facilitation (Talking Circles)

The Judiciary's Center for Alternative Dispute Resolution (CADR) hosts community conversations on a range of peacemaking practices, including hooponopono, the Native Hawaiian cultural practice of making things “right.”

This year, CADR was proud to partner with leaders in the Native Hawaiian community and with Restorative Justice specialist Lorenn Walker. Dialogue with the community focused on issues relating to race and its impact on the justice system, discrimination, and tensions within the community. Through community “talking circles,” participants exchanged their personal views on hooponopono, restorative justice, forgiveness, community conflicts, and what is needed for reconciliation. The Judiciary looks forward to more dialogue in the future.

April 2019 – Aloha, Hooponopono & Forgiveness in Hawaii

The Hawaii Friends of Restorative Justice (HFRJ), the State of Hawaii Office of Youth Services (OYS), and CADR co-sponsored an interactive dialogue featuring guest speakers: Meleanna Meyer, Native Hawaiian Artist; Malina Kaulukukui, Haku Hooponopono; and Frederic Luskin, Ph.D., Director of the Stanford University Forgiveness Projects and Author of *Forgive for Good*. Twenty-five participants actively engaged in the discussion and requested another community circle on the same topic.



From left, Meleanna Meyer, Lorenn Walker, and Malina Kaulukukui display a small replica of the Aina Aloha mural with a “green side” on the front and a “red side” on the back. The original mural was created by six Native Hawaiian artists – Al Lagunero, Meleanna Meyer, Harinani Orme, Kahi Ching, Carl F.K. Pao, and Solomon Enos.

June 2019 – Hooponopono and Restorative Justice

Hooponopono and restorative justice are two conflict resolution practices that are often confused. The Hawaii Friends of Restorative Justice and CADR co-sponsored a workshop where attendees learned the distinctions between hooponopono and restorative justice from the experts: Malina Kaulukukui, Haku Hooponopono, and Lorenn Walker, Executive Director for the Hawaii Friends of Restorative Justice.

Mediators: Crafting Effective Opening Statements



Front, Judge Riki May Amano (ret.). Back from left, Judge Joel August (ret.), Dick Mosher, Kale Feldman, Lisa Jacobs, Judge Allene Suemori (ret.), and Robin Campaniano.

Veteran mediator Dick Mosher led a lively panel discussion about the power of the first five minutes of mediation. “Opening Statements – Making Connections” was developed to provide those involved in mediation with advanced training on building rapport, credibility, and trust during the first phase of mediation. Participants heard from a panel of Hawaii’s leading mediators who emphasized the responsibility of neutral third parties to lay the foundation for a productive, impartial process.

Distinguished guest speakers included retired Circuit Court Judge Joel E. August; retired Circuit Court Judge Riki May Amano; Robin Campaniano, an attorney, corporate consultant, and strategist who serves as Senior Advisor for CGI Technologies; Kale Feldman, partner in Chee Markham & Feldman; retired District Family Court Judge Allene K. Suemori, and Lisa Jacobs of Better Way Divorce (or Pono Divorce).

The Judiciary’s Center for Alternative Dispute Resolution partnered with the Association for Conflict Resolutions-Hawaii; Hawaii State Bar Association-ADR Section; Kauai Bar Association; Kuikahi Mediation Center in Hilo; Maui County Bar Association; Maui Mediation Services; The Mediation Center of the Pacific, Inc.; Spark M. Matsunaga Institute for Peace and Conflict Resolution; and West Hawaii Mediation Center in Waimea on this legal education event on October 13, 2019 in the Supreme Court courtroom.

The session was broadcast live to mediators and attorneys on Kauai and Maui. In addition, Olelo recorded the event for broadcast at a later date. It was also available on Olelo’s YouTube channel.

Applying Technology for Greater Access

Technology plays a vital role in fulfilling the Judiciary's mission by providing greater access to the court's programs, services, and information.

System Upgrades for Greater Access

Online Access to Civil Cases

The launch of the Judiciary Information Management System ("JIMS") "Civil Module" in 2019 moved the Judiciary closer to its goal of providing attorneys and the public with the benefits of an integrated statewide filing and case management system.

From October to November, civil cases in the district and circuit courts, the Land Court, and the Tax Appeal Court, were migrated to JIMS, thereby making more court records accessible online, and increasing transparency in the courts.

E-filing

Attorneys and self-represented litigants now have the convenience of e-filing civil cases, just as they do with criminal and appellate cases. Only civil family court cases must be filed conventionally.

With the new e-filing capabilities:

- Court documents can be filed electronically almost 24 hours a day, even when the courts are closed.
- Cases can be initiated online, with filing fees paid using a credit card (includes a processing fee).
- The system can automatically send electronic notice of case filings to all parties, thereby eliminating costs and delays associated with physically serving documents.

- Users receive e-mail notification of e-filed documents, with online access, typically within 20-30 minutes of e-filing.
- Documents can be accessed via computer simultaneously by multiple individuals, including judges, court staff, and attorneys.

Training

The Judiciary provided in-person and online training opportunities for attorneys statewide from July to September 2019. In addition, the Civil JEFS Information web page has training resources, including videos, training documents, court rules, and much more. See:

www.courts.state.hi.us/civiljefinfo

Next steps

The Judiciary will continue to transform the way state courts conduct business by moving from paper systems to electronic filing and processing.

The migration of court records to JIMS will be complete when Family Court records are transferred within the next few years.

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Applying Technology for Greater Access (cont.)

Electronic Filing System Working Group

The Judiciary formed a JEFS (Judiciary Electronic Filing and Service System) Working Group in 2018 to review and prioritize all recommendations for system enhancements.

These efforts will continue in 2020 as system enhancements are still requested by users of JIMS.

Attorneys are invited to e-mail any JEFS-related comments or recommendations to:

pao@courts.hawaii.gov.

eReminder Service

The Judiciary continues to explore the innovative use of technology to make the courts more accessible, understandable, and helpful to the public.

In December 2018, work began on a pilot project to test a new alert management system that sends electronic reminders about court hearings via text messages or other electronic communications.

The eReminder service was offered to defendants in all jurisdictions who had traffic cases, or district, circuit, or family court criminal cases. Interested persons enrolled by completing an eReminder application and court staff entered their contact information into the eReminder system.

The first text reminders for scheduled hearings were sent in January 2019. Participants received up to four alerts based on the date of their hearing (30, seven, one and zero (day of) days prior to their court date). By August, the eReminder system had sent over 15,000 texts to over 2,031 defendant subscribers, reminding them about their court dates.

Early indications are that the appearance rate for defendants who received text reminders was higher than for defendants who did not receive text reminders.

While further study is needed, if the service does prove effective, eReminder could be offered to people with other types of cases, providing them with the convenience of receiving timely information on the date, time, and location of their hearings.

Law Library: A Community Resource

The Hawaii State Law Library System collects, organizes, and disseminates information and materials related to legal research and judicial administration. The library system makes these resources available to the general public for legal research and study.

The Hawaii State Law Library System (HSLLS) is comprised of the Supreme Court Law Library (Oahu) and its satellite libraries located in the Second (Maui), Third (Hawaii Island), and Fifth (Kauai) Circuits. HSLLS is a primary legal resource for the courts, legal community, and the public. The system houses more than 80,000 volumes of legal materials relating to Hawaii, the United States, and foreign countries, and provides electronic resources and databases for legal research. The Supreme Court Law Library (SCLL) in Honolulu serves as the administrative headquarters of HSLLS.

Attorneys and their staff members, government agency personnel, legislators, and the general public patronize library facilities on all islands.

Services

HSLLS libraries are used for legal research, with selected materials available for check out. The SCLL provides document delivery and Hawaii legislative history research services at a nominal cost, and library personnel assist users with basic legal reference needs.

The SCLL performs budgeting, planning and purchasing for the entire Hawaii State Law Library System and is responsible for furnishing primary and secondary legal resources for the judges' chambers and administrative offices throughout the Judiciary.

Materials Available

The collections of the libraries include materials in print, microfilm, microfiche, CD-ROM, and electronic formats. These materials cover primary law for all federal and state jurisdictions, as well as practice materials for all major areas of law. The HSLLS also subscribes to a variety of electronic resources available via public access computers and the internet.

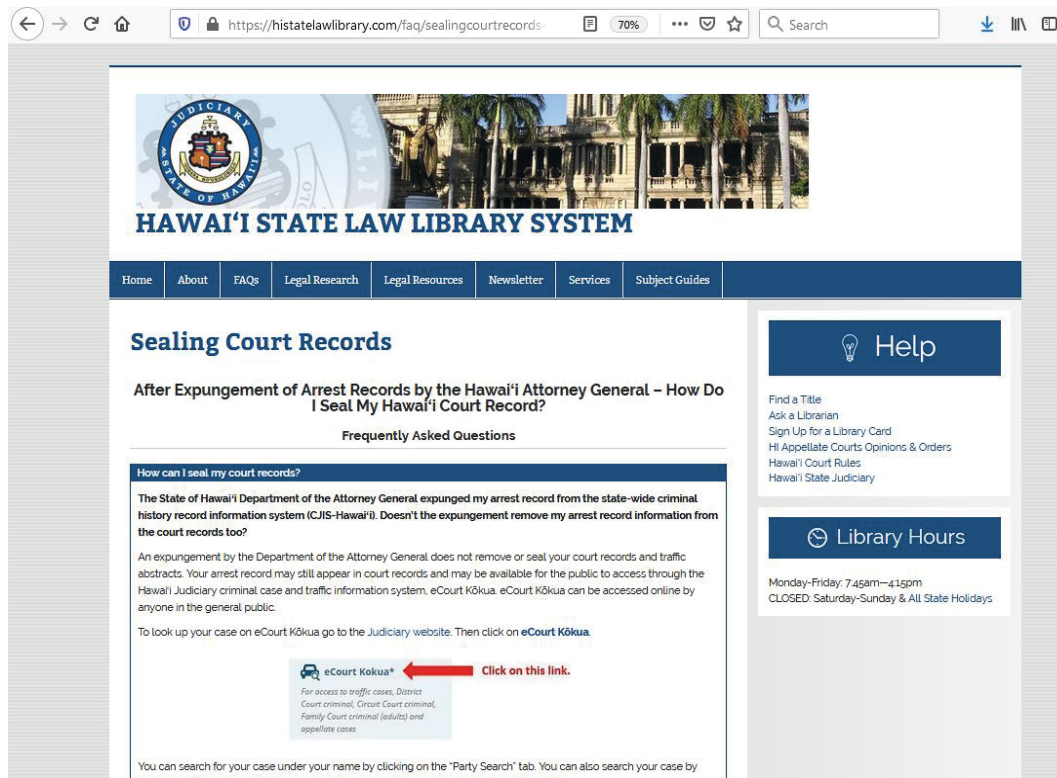
The HSLLS's collections meet the standards of the American Association of Law Libraries for Appellate Court Libraries and State Law Libraries. These professional standards formally recognize that access to justice is a fundamental right of every citizen in the United States, and that access to meaningful legal information is an essential element of this right.

The Supreme Court Law Library is a selective depository for federal documents distributed through the U. S. Government Publishing Office, and a full depository for publications produced through the State Justice Institute grant program.

Continued on page 60

2019 Highlights

New Web page on Sealing Court Records



histatelawlibrary.com/faq/sealingcourtrecords-faq/

Over the years, the state's courthouse law libraries and other Judiciary departments have frequently received questions from people seeking information on the processes for expunging arrest records and sealing court records.

To assist people with understanding these very different processes, the decision was made in 2019 to create a free resource for the public that addresses some of the most common questions about sealing court records which did not result in a conviction.

The creation of the Law Library's new Expungement web page was a collaborative effort of the Hawaii Supreme Court Law Library, the Hawaii State Bar Association's Committee on Delivering Legal Services to the Public (DLSP), the Judiciary's

Innovations, Technology, and Self Represented Litigants Committee, and other Judiciary personnel. These groups mapped out a work flow for sealing court records related to expungements, and consulted with the courthouse Legal Documents Branches in each judicial circuit.

The web page contains a simple, step-by-step guide including a sample letter format that can be used for petitioning the court to have records sealed.

Since the web page launched in July 2019, it has received more than 1,700 visits. Visitors can find the page on the Hawaii State Law Library System website under the "FAQs" tab at the top of the page, or access it directly at:

histatelawlibrary.com/faq/sealingcourtrecords-faq/

Jenny Silbiger Leads 550+ Government Law Librarians



Jenny Silbiger, Hawaii State Law Librarian, serves as 2019-20 chair of the American Association of Law Libraries' (AALL) Government Law Libraries-Special Interest Section (GLL-SIS)

Hawaii State Law Librarian Jenny R. Silbiger was sworn-in as 2019-20 chair of the American Association of Law Libraries' (AALL) Government Law Libraries-Special Interest Section (GLL-SIS) in July. The AALL is a national association of legal information experts founded in 1906 to foster the profession of law librarianship and provide leadership in the field of legal information.

She will lead the GLL-SIS in its continued efforts to support the access to justice issues that those within libraries and other government information services strive to promote at the community level.

At the induction ceremony, Silbiger was presented with the Section's unique "gavel", the original poi pounder, donated to the organization in 1973 by the late Margaret (Maggie) Setliff, a Hawaii state law librarian when Chief Justice William S. Richardson headed the Judiciary.

Setliff brought the poi pounder to the organization's first meeting, and now 46 years later, it has traveled full-circle back to Hawaii with Silbiger. Next July, she will pass it to the vice chair/chair-elect, a law librarian in Maryland.

Investing in Future Generations

The Judiciary invests in Hawaii's future generations by engaging students in outreach programs and events designed to help them better understand the judicial system. These initiatives are designed to build an understanding of the principles fundamental to our system of democracy, including individual liberties, the rule of law, and the protections these doctrines provide.

Courts in the Community



From left: Hawaii Supreme Court Associate Justice Richard W. Pollack, Associate Justice Paula A. Nakayama, Chief Justice Mark E. Recktenwald, Associate Justice Sabrina S. McKenna, and Associate Justice Michael D. Wilson answer questions from the students after oral argument at Waipahu High School's Courts in the Community event on November 14, 2019.

Courts in the Community gives high school students unique, hands-on experiences in how the state judicial system works. An important component of the program has the full, five-member Hawaii Supreme Court travel to high schools throughout the state to hear oral argument in an actual case.

The Hawaii State Bar Association and county bar associations provide financial support for students participating in the program. Attorneys volunteer their time to facilitate the students' participation in a moot court exercise involving the case that will be argued before the court.

Continued on page 64

Courts in the Community Participation 2012 - 2019

Semester / Year	Host School	Participating Schools*	Number of Students
Spring 2012	Farrington High School (Oahu)	2	200
Fall 2012	Baldwin High School (Maui)	7	450
Fall 2013	Waiakea High School (Hawaii Island, Hilo)	7	200
Spring 2014	Kealakehe High School (Hawaii Island, Kona)	7	475
Fall 2014	Mililani High School (Oahu)	7	350
Spring 2015	Kauai High School (Kauai)	7	300
Fall 2015	Waianae High School (Oahu)	5	350
Fall 2016	McKinley High School (Oahu)	9	470
Spring 2017	Baldwin High School (Maui)	9	503
Fall 2017	Waiakea High School (Hawaii Island, Hilo)	5	191
Winter 2017	Castle High School (Oahu)	5	220
Spring 2018	Kealakehe High School (Hawaii Island, Kona)	6	418
Fall 2018	Kaimuki High School (Oahu)	11	402
Spring 2019	Kauai Community College	7	337
Fall 2019	Waipahu High School	5	470
	Total	99 schools, including repeat visits	5,336

**Some schools have participated in multiple Courts in the Community events.*

Investing in Future Generations (cont.)

King Kamehameha V Judiciary History Center

The King Kamehameha V Judiciary History Center offers schools, colleges, and the general public a number of law-related educational activities and resources. In Fiscal Year 2018-19, the center welcomed 174,629 people, including 159,202 visitors and more than 15,400 students, helping them become better informed, involved, and effective citizens.

Teachers can access prepared lessons on the center's website for use in the classroom and in the restored 1913 Courtroom in Aliiolani Hale. For more information, visit: jhchawaii.net.



The King Kamehameha V Judiciary History Center's Ahukini Fuentes leads students from Kapālama Elementary in a mock trial activity based on the Oni v. Meek case of 1858 to learn about land law in Hawaii, May 2, 2019. During mock trials in the restored 1913 courtroom at Aliiolani Hale, visiting students play the roles of the judge, bailiff, court clerk, attorneys, and others involved in a case.

Public Programs

In 2019, the History Center hosted a number of public discussions and events focusing on topics and themes that have relevance to both past and current events in Hawaii, as well as the future direction of the state and nation. Among them were:

Civil Liberties & the Constitution Day 2019

A discussion on United States policy surrounding refugees and asylum seekers featuring John Robert Egan, an experienced immigration attorney who served as the Chairperson of the American Immigration Lawyers Association, and Kay Lorraine, a former Hawaii non-profit executive, who earned her juris doctorate from the William S. Richardson School of Law.

Hip Hop Alchemy/Making Wrongs Right/Turning Hewa into Pono

A workshop led by Punahele and Illnomadic, in which participants used music as a tool to address issues and cause change. Historical events in and around Aliiolani Hale before, during, and after the overthrow of the Hawaiian Kingdom were examined through creative hip hop writing.

Women in Law Talk Story: Kuleana beyond a law degree

In celebration of Women's History Month, this presentation focused on Native Hawaiian women in law. Guest speakers were Native Hawaiian lawyers Camille Kalama, Kapua Sproat, and Malia Akutagawa.

Keahuolu Courthouse – On Time, On Budget

The Hawaii State Judiciary has built a centralized courthouse in Kona to meet the critical legal needs of the West Hawaii community. The courthouse provides improved access to the civil, criminal, and family court justice system.



The new Keahuolu Courthouse, Kona, Hawaii island, September 2019. Photo courtesy of AHL and Andrea Brizzi Photography.

Construction of the Kona Judiciary Complex was completed on time and on budget. Effective September 3, 2019, Third Circuit court operations in Kona transferred from the three previous court locations in West Hawaii to the new Keahuolu Courthouse. Thanks to months of intensive planning by Third Circuit staff and other Judiciary departments, in collaboration with the State of Hawaii Department of Accounting and General Services, Public Safety, and contractors, the transition of operations from old locations to the new building took place seamlessly, with no downtime or interruption of services to the public.

The name Keahuolu honors the ahupuaa in which the building is located. The three-story,

140,000-square-foot facility houses five courtrooms, jury deliberation rooms, a grand jury meeting room, witness rooms, attorney interview rooms, a law library, a new Self-Help Center, Driver's Education Office, Juvenile and Adult Client Services, Sheriff's operations, and 292 parking stalls for public and employee vehicles. The design also includes space for future expansion or courtroom additions.

The facility cost \$95.8 million for construction, furniture, fixtures, and equipment. Architects Hawaii Ltd. (AHL), was the architect and Nan Inc. the general contractor.

Continued on page 66

Keahuolu Courthouse Self-Help Center Named after Chief Judge Ronald Ibarra



At the October 1, 2019, blessing and art dedication ceremony for the Keahuolu Courthouse, Chief Justice Recktenwald made a surprise presentation to recently retired Third Circuit Chief Judge Ronald Ibarra, naming the Self-Help Center in his honor. Judge Ibarra was a tireless advocate for those who needed help with civil matters, but could not afford an attorney. He was pivotal in launching the original Kona Self-Help Desk in 2013.

A plaque installed in the new Self-Help Center reads, in part, "Under Chief Judge Ibarra's vision and leadership, the Third Circuit significantly expanded access to justice for all. This Self-Help Center is named in his honor."

"The Keahuolu Courthouse would not be a reality if not for the vision of retired Chief Judge Ronald Ibarra, and the tremendous support of the Legislature, Governor Ige, Lt. Governor Green, as well as the Hawaii Island bar associations, the Hawaii State Bar Association, the Liliuokalani Trust, and countless others across Hawaii Island. I am deeply grateful to all of them," said Chief Justice Mark E. Recktenwald. "I'm also extremely happy for the West Hawaii community. For years, we have been providing court

services in three different buildings, none of which were designed as courthouses. Now the public has a full-service facility where they can take care of all court-related matters in a centralized, convenient, and secure environment, and can access an expanded Self-Help Center where volunteer attorneys will provide legal information to assist them."



A courtroom in the new Keahuolu Courthouse. Photo courtesy of AHL and Andrea Brizzi Photography.



Inside the new law library at the Keahuolu Courthouse. Photo courtesy of AHL and Andrea Brizzi Photography.

People Making a Difference

The Hawaii State Judiciary's accomplishments reflect the dedication of the more than 1,900 people serving our court system. Each day, these individuals help fulfill our mission, and their efforts have far-reaching impacts upon the lives of those who depend on the courts to resolve disputes and ensure justice.

Michelle Acosta Selected for HSBA 2019 President's Award



Michelle Acosta receives the President's Award from Hawaii State Bar Association (HSBA) President Derek R. Kobayashi at the HSBA 2019 Bar Convention & Exhibitor Expo, October 11, 2019.

Michelle Acosta, the Hawaii State Judiciary's Special Assistant to the Administrative Director of the Courts and Chief Innovations Officer, was a recipient of the 2019 Hawaii State Bar Association (HSBA) President's Award.

"Throughout her career, Michelle has inspired by example; being a stalwart champion and innovator in the provision of access to justice," said HSBA President Derek R. Kobayashi. "From January 2013 to December 2017, Michelle was the Executive

Director of Volunteer Legal Services of Hawaii. She served as Chair of the Hawaii Access to Justice Commission Committee on Increasing Pro Bono Legal Services and was integral to the implementation of "HOP" – Hawaii Online Pro Bono, a web based legal clinic that allows low- to moderate-income Hawaii residents to have their civil legal questions answered, 24/7, by volunteer HSBA attorneys."

Chief Judge Joseph E. Cardoza Selected for HSBA 2019 Golden Gavel Award



Second Circuit Chief Judge Joseph E. Cardoza (ret.) receives the 2019 Golden Gavel Award from Hawaii State Bar Association (HSBA) President Derek R. Kobayashi at the 2019 HSBA Bar Convention & Exhibitor Expo, October 11, 2019.

Second Circuit Chief Judge Joseph E. Cardoza (ret.) was the recipient of the Hawaii State Bar Association (HSBA) 2019 Golden Gavel Award. The award recognizes outstanding service to the state or federal judiciary in Hawaii, such as activities relating to court practice and procedures; new or innovative projects; or outstanding service having an effect directly or indirectly upon the fair and efficient provision of justice by the judiciary.

In making their selection, the HSBA Awards Committee noted the overwhelming contributions that Judge Cardoza made over many years, that go "outside" of his role as a Circuit Judge in promot-

ing justice and improving the judicial system. This includes his work establishing the Second Circuit's Veterans Court, a special Mental Health Court, and piloting the Second Circuit's new Volunteer Court Navigator Program. Each of these endeavors implemented creative ways to deliver and promote justice while improving Hawaii's judicial system.

During his 20-year career with the Judiciary, Judge Cardoza has helped make the state courts more responsive to the communities they serve, and strengthened the Judiciary's working relations with other government and community organizations.

People Making a Difference (cont.)

Yushinkai Honors Chief Justice Mark E. Recktenwald



Chief Justice Mark E. Recktenwald prepares to receive the ceremonial green tea as Consul General Koichi Ito, Consulate General of Japan in Honolulu, looks on.

Yushinkai, a prominent Hawaii Chado Urasenke tea group led by former First Lady of the State of Hawaii Jean Ariyoshi, honored Chief Justice Mark E. Recktenwald as a champion of peace, consistent with the mission of the Chado Urasenke tradition, which promotes peace and international goodwill through The Way of Tea.

The traditional Japanese tea ceremony was performed in the Hawaii Supreme Court Courtroom by Yushinkai members Charlyn Masini and Dr. Mary McDonald on July 12, 2019. The event was emceed by Jean Ariyoshi and Lynne Waihee, also a former First Lady of the State of Hawaii, and Yushinkai member. Dr. Genshitsu Sen, 15th generation Grand Tea Master, Urasenke Chado Tradition, flew in from Japan to attend.

Also attending were Consul General Koichi Ito, Consulate General of Japan in Honolulu; former Governors George Ariyoshi and John Waihee; House Speaker Scott Saiki; Admiral Philip S. Davidson (U.S. Indo-Pacific Command) and Mrs. Tracy Davidson; Senior United States Circuit Judge of the 9th U.S. Court of Appeals Richard Clifton; Associate Justices Paula Nakayama, Sabrina McKenna, and Richard Pollack; Intermediate Court of Appeals Chief Judge Lisa Ginoza and Associate Judge Lawrence Reifurth; Judge Karen Nakasone; Judge Kevin Morikone; members of the bar; Judiciary staff; and community organization representatives.

2019 Jurist of the Year and Judiciary Employees Honored



First Circuit Court Judge Gary W.B. Chang receives the 2019 Jurist of the Year Award from Hawaii Supreme Court Chief Justice Mark E. Recktenwald.

First Circuit Court Judge Gary W.B. Chang was presented with the 2019 Jurist of the Year Award by Chief Justice Mark E. Recktenwald, at the Hawaii State Judiciary's Statewide Incentive Awards Ceremony on September 30.

"Judge Chang is an outstanding trial judge, mentor and leader, who is a tireless proponent of professionalism in the courtroom," said Chief Justice Recktenwald. "His role in the launch of electronic filing for circuit court civil cases across

the state has been vital to the project's realization. The many challenges he encountered were faced head on with a positive mind-set and a strong determination to work collaboratively to ensure the success of the new system."

The Judiciary also presented individual and group awards to employees who distinguished themselves through exceptional service and accomplishments.



The Hookele Court Navigation Program, which serves the First Circuit (Oahu) Circuit, Family, and District Courts, received the 2019 Group Certificate of Commendation Award. Program representatives (front row left) Sonia Soriano, and Jonina Tagalog, (second row left) GloriJean Kamealoha, Adele Tangjian, Grace Ono, and Elizabeth Ramirez, were presented with the award by Associate Judge Derrick H.M. Chan (left) and Chief Justice Mark E. Recktenwald (right) on behalf of their team.

People Making a Difference (cont.)

Jasmine Mau-Mukai Wins National Award



Jasmine Mau-Mukai, director of Children's Justice Centers of Hawaii, is presented with the Outstanding Chapter Leader Award from Teresa Huizar, Executive Director of the National Children's Alliance, June 2, 2019.

Jasmine Mau-Mukai, director of Children's Justice Centers of Hawaii (CJC), won the 2019 Outstanding Chapter Leader Award from the National Children's Alliance.

The organization said that Mau-Mukai was honored "... for her dedicated service on behalf of child victims of abuse and neglect in Hawaii as a child protective services investigator, as a specialized sex abuse unit supervisor and trainer for the

state department of human services, as program director at the Children's Justice Center of Oahu, and as Hawaii's chapter leader for 12 years."

Hawaii's CJC program directors were on hand in Washington, D.C. to congratulate Mau-Mukai and celebrate her well-deserved recognition for helping Hawaii's most vulnerable keiki.

Volunteers in Public Service to the Courts



Court Appointed Special Advocates (CASA) volunteers at the September 27 Volunteer Recognition Ceremony celebrated the program's 2019 achievements. From left: CASA Supervisor Amphay Champathong with volunteers Chantrelle Waialae, Lynn Pregitzer, Joseph Bobich, Chellezette Mapp, and Esther Santos.

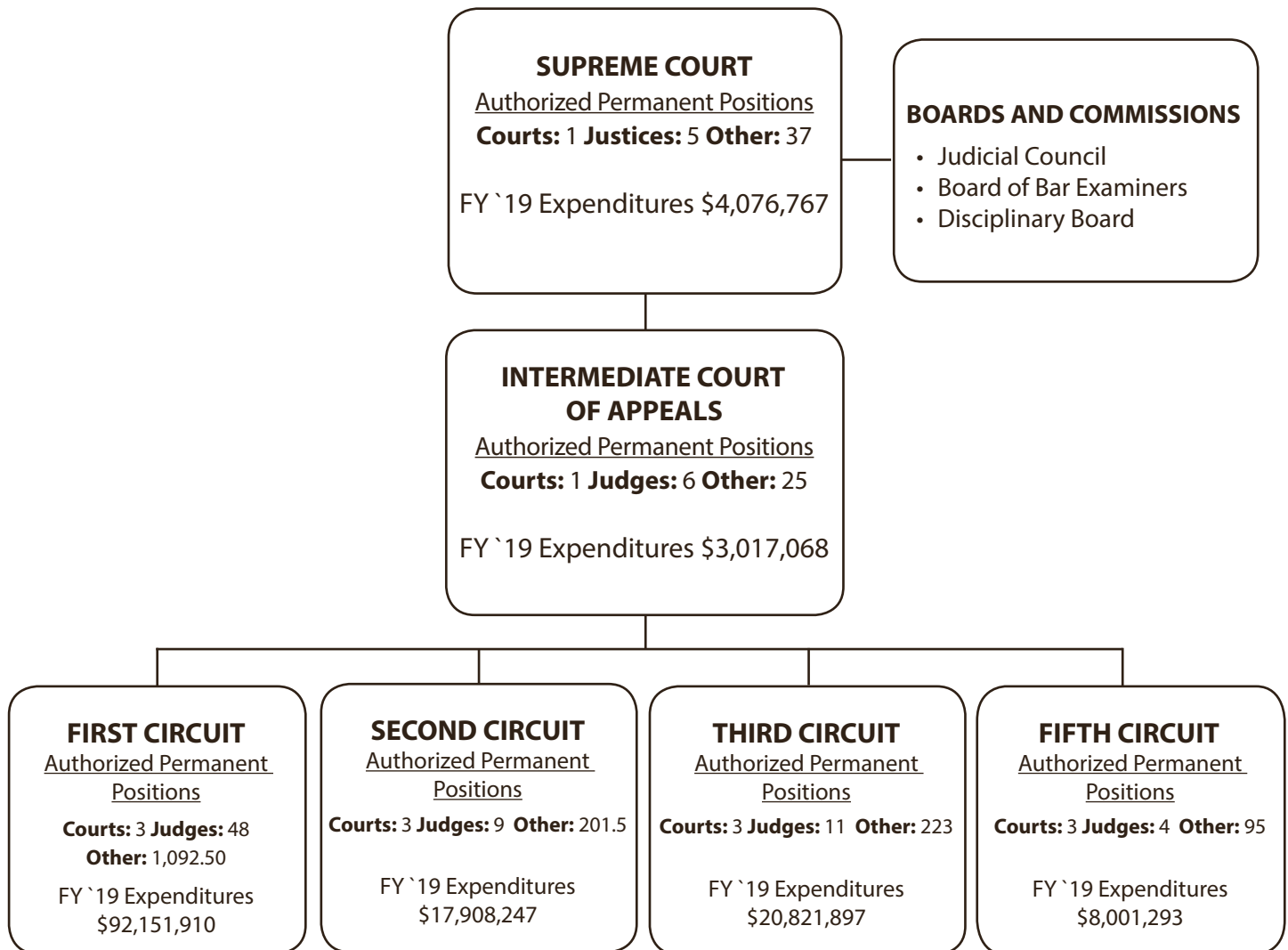
The 1,468 participants in the Volunteers in Public Service to the Courts (VIPs) program provided much needed assistance to staff working in Judiciary offices, facilities, and courthouses on Oahu during the 2018-19 Fiscal Year. They contributed over 61,000 hours of service.

This was the largest cohort of volunteers since 2015, the seventh consecutive year that the program exceeded 1,000 volunteers, and the 12th time volunteers have provided 50,000 hours or more of service.

The Judiciary's VIPs Program began in 1973, but formally started keeping statistical information in 1978. In the past 40 years, over 24,000 volunteers have contributed more than 1.525 million hours supporting staff and directly assisting the public. The Judiciary is currently the only branch of state government with a formal volunteer program, and our volunteers are an integral part of the Judiciary's mission.

For information on volunteer opportunities with the Hawaii state court system, visit: www.courts.state.hi.us/outreach/volunteer_opportunities, or call **(808) 539-4880**.

Structure of the Court System



Hawaii’s Courts of Appeal are comprised of the Supreme Court and the Intermediate Court of Appeals. Hawaii’s trial level is comprised of Circuit Courts and District Courts. Family Courts are included in the District and Circuit Courts. Hawaii’s trial courts function in four circuits that correspond approximately to the geographical areas served by the counties.

The First Circuit serves the City and County of Honolulu.

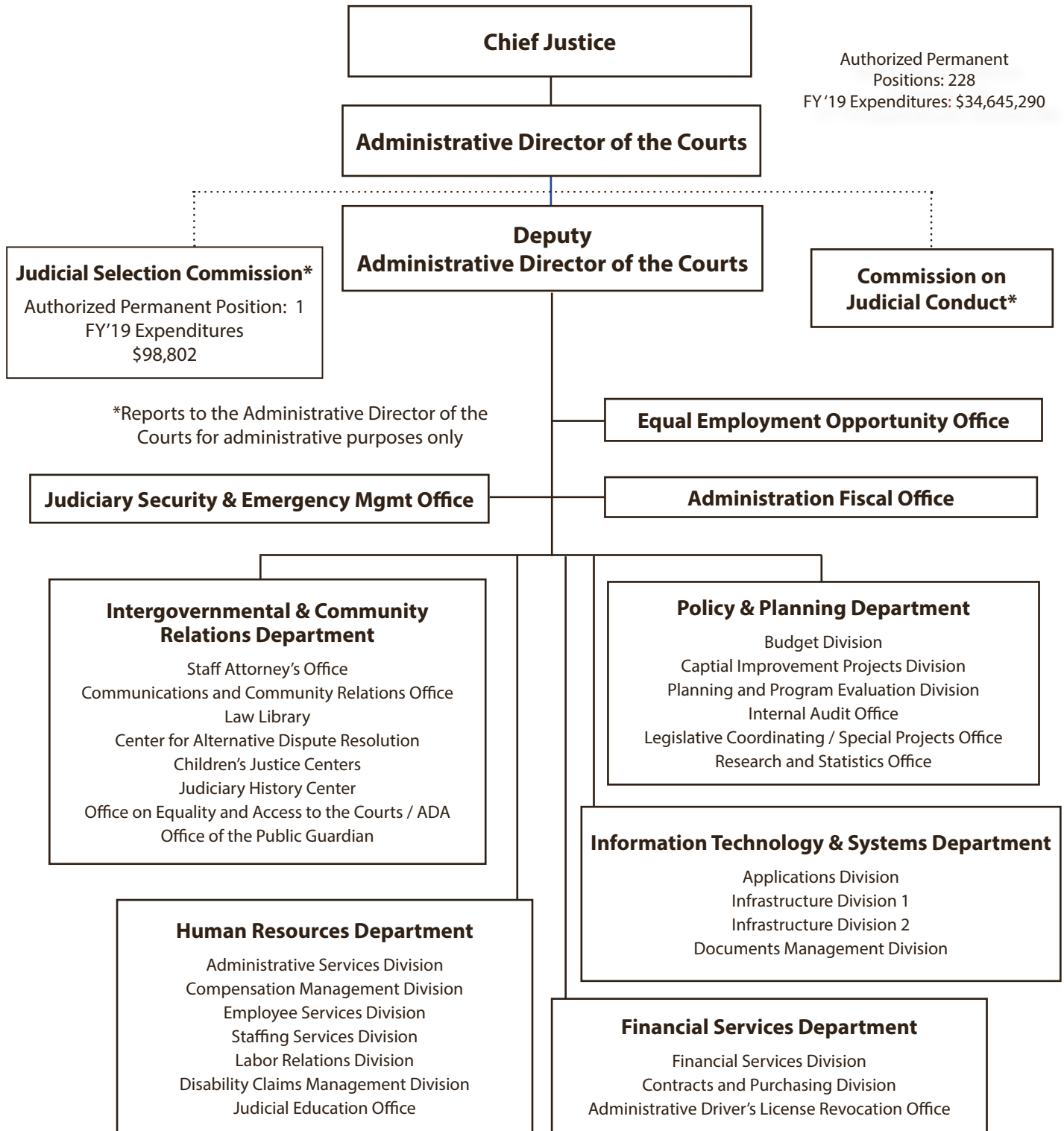
The Second Circuit serves the County of Maui, which includes the islands of Maui, Molokai and Lanai.

The Third Circuit, divided into the districts of Hilo and Kona, serves the County of Hawaii.

The Fourth Circuit is no longer used as a circuit designation. The Third and Fourth Circuits merged in 1943.

The Fifth Circuit serves the County of Kauai, which includes the islands of Kauai and Niihau.

Office of the Administrative Director of the Courts



Courts of Appeal

Supreme Court

The Supreme Court of Hawaii is the state's court of last resort. It hears appeals brought before the court upon applications for writs of certiorari to the Intermediate Court of Appeals and applications for transfer from the Intermediate Court of Appeals.

Each appeal is decided on the basis of the written record. In some cases, the court may hear oral arguments. The court takes no evidence, except in original proceedings. Each justice, or a substitute from the Intermediate Court of Appeals or the Circuit Court, participates in every substantive matter before the court.

The Supreme Court also hears:

- Reserved questions of law from

the circuit courts, the land court, and the tax appeal court;

- Certified questions of law from federal courts;
- Applications for writs to judges and other public officers;
- Complaints regarding elections.

In addition, it:

- Makes rules of practice and procedure for all state courts;
- Licenses, regulates, and disciplines attorneys; and
- Disciplines judges.

The Supreme Court is composed of a Chief Justice and four Associate Justices. Justices are appointed by the Governor from a list of not less than four and not

more than six names submitted by the Judicial Selection Commission.

A justice's appointment is subject to confirmation by the State Senate. Each justice is initially appointed for a 10-year term. To be considered for appointment, a person must be a resident and a citizen of the state and of the United States and licensed to practice law by the Supreme Court of Hawaii for not less than 10 years preceding their nomination. After initial appointment, the Judicial Selection Commission determines whether a justice will be retained in office. A justice may not serve past age 70.

Supreme Court Justices and their Terms

Chief Justice Mark E. Recktenwald

September 14, 2010 - September 13, 2020

Associate Justice Paula A. Nakayama

April 22, 1993 - April 21, 2023

Associate Justice Sabrina S. McKenna

March 3, 2011 - March 2, 2021

Associate Justice Richard W. Pollack

August 6, 2012 - August 5, 2022

Associate Justice Michael D. Wilson

April 17, 2014 - April 16, 2024



(Front row from left) Associate Justice Paula Nakayama, Chief Justice Mark Recktenwald, Associate Justice Sabrina McKenna, (back row from left) Associate Justice Richard Pollack, and Associate Justice Michael Wilson.

Intermediate Court of Appeals

The Intermediate Court of Appeals (ICA) hears almost all appeals from trial courts and some agencies in the state of Hawaii.

The ICA has discretionary authority to entertain cases submitted without a prior suit if there is a question of law that could be the subject of a civil action or a proceeding in the Circuit Court or Tax Appeal Court, and the parties agree upon the facts upon which the controversy depends.

Cases in the ICA may be transferred to the Hawaii Supreme Court upon

application to the Supreme Court under circumstances set out in the Hawaii Revised Statutes. The ICA's Judgments on Appeal and dismissal orders are subject to the Supreme Court's discretionary review by way of an application for a writ of certiorari.

The ICA is composed of six judges who sit on panels of three. Judges are appointed by the Governor from a list of not less than four and not more than six names submitted by the Judicial Selection Commission.

A judge's appointment is subject to confirmation by the State Senate. Each judge is initially appointed for a 10-year term. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

Continued on page 78

Intermediate Court of Appeals Judges and their Terms

Chief Judge Lisa M. Ginoza

May 6, 2010 - April 23, 2028

Associate Judge Alexa D. M. Fujise

June 10, 2004 - June 9, 2024

Associate Judge Katherine G. Leonard

January 30, 2008 - January 29, 2028

Associate Judge Lawrence M. Reifurth (ret.)

March 11, 2010 - August 30, 2019

Associate Judge Derrick H. M. Chan

April 13, 2017 - April 12, 2027

Associate Judge Keith Hiraoka

November 19, 2018 - November 18, 2028

Associate Judge Clyde J. Wadsworth

October 21, 2019 - October 20, 2029



(Front row from left) Associate Judge Alexa Fujise, Chief Judge Lisa Ginoza, Associate Judge Katherine Leonard; (back row from left) Associate Judge Derrick Chan, Associate Judge Lawrence Reifurth, and Associate Judge Keith Hiraoka.

Courts of Appeal (cont.)

Status Of Pending Cases

There were 948 primary cases and 71 supplemental proceedings pending in the Courts of Appeal at the end of the fiscal year.

Actions Filed

There were 805 primary cases filed in the Courts of Appeal during the 2018-19 fiscal year (11 applications for transfer, 716 appeals, and 78 original proceedings).

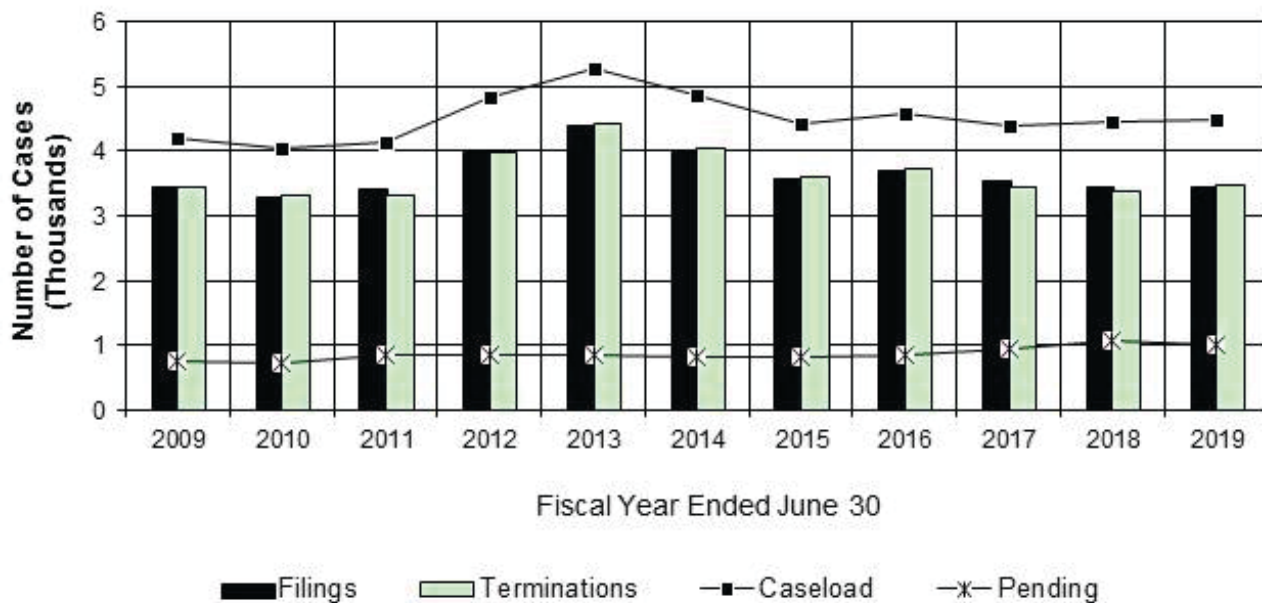
Supplemental proceedings, which arise out of primary cases, are comprised of motions and special stipulations. In fiscal year 2018-19, 2,664 supplemental proceedings were filed in the Courts of Appeal.

Terminations of supplemental proceedings increased from 2,635 last year to 2,688 this year.

Terminations

The Courts of Appeal terminated 799 primary cases during fiscal year 2018-19, compared with 759 primary cases terminated during the previous fiscal year. Ter-

**Caseload Activity in the Courts of Appeal
Fiscal Year 2008-09 to Fiscal Year 2018-19**



Circuit Court

Mission

The mission of the Circuit Court is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with the law.

All jury trials are held in the Circuit Courts, which have general jurisdiction in civil and criminal cases. It also has exclusive jurisdiction in probate, guardianship, and criminal felony cases, as well as civil cases where the contested amount exceeds \$40,000. Circuit Courts share concurrent jurisdiction with District Courts in civil non-jury cases that specify amounts between \$5,000 and \$40,000.

Additional cases dispensed by the Circuit Courts include mechanic's liens and misdemeanor violations transferred from the District Courts for jury trials.

Circuit Court judges are appointed to 10-year terms by the Governor from a list of not less than four and not more than six nominees provided by the Judicial Selection Commission. The appointees are subject to confirmation by the State Senate. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

Actions Filed

Filings in the Circuit courts totaled 13,538 cases in fiscal year 2018-19. Of the cases filed, 9,223, or 68 percent, were civil cases, and 4,315, or 32 percent, were criminal cases.

Terminations

During fiscal year 2018-19, the Circuit Courts terminated 12,288 cases.

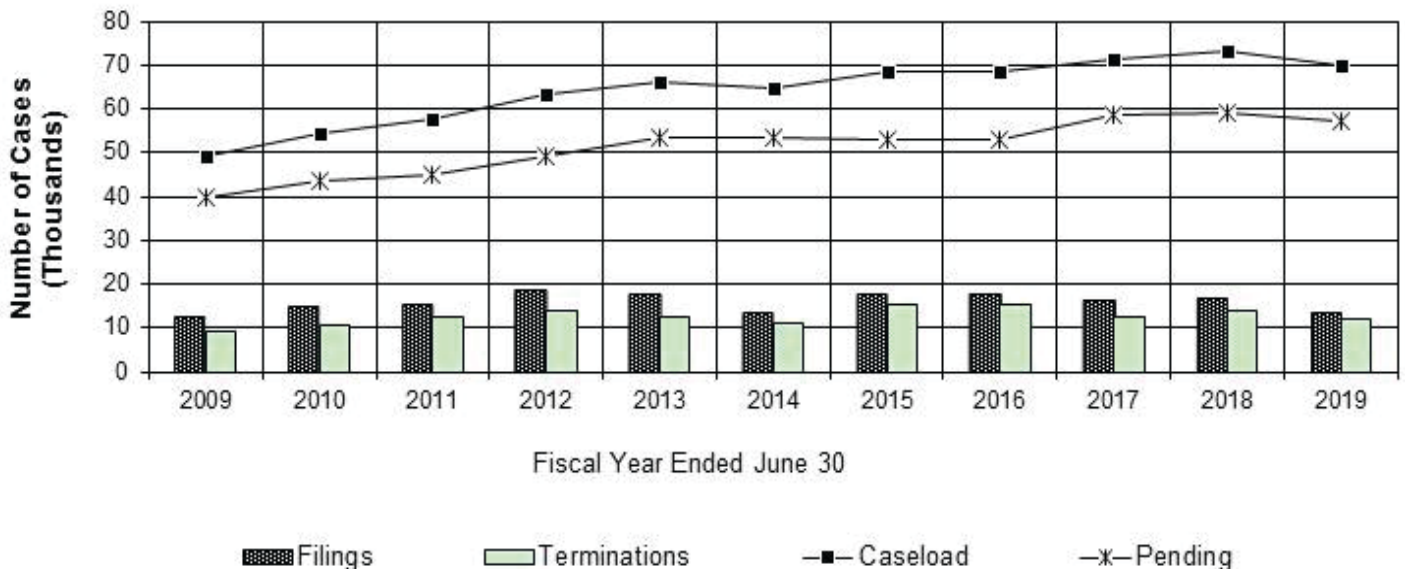
Status of Pending Cases

At the end of the 2018-19 fiscal year, a total of 57,466 cases were pending in the Circuit Courts.

Adult Probation Divisions

There were 2,740 investigations completed during fiscal year 2018-19. In supervision cases, where persons were placed on probation or subject to court-ordered control, including offenders released from the Hawaii State Hospital, there were 5,396 new placements added to the 18,815 cases pending at the start of the fiscal year. Of these, 4,018 cases were closed, leaving 20,193 open at the end of the 2018-19 fiscal year.

**Caseload Activity in the Circuit Courts
Fiscal Year 2008-09 to Fiscal Year 2018-19**



Circuit Court Judges and their Terms

First Circuit

Paul B. K. Wong

1st Division
December 20, 2017 - December 19,
2027

Catherine H. Remigio

2nd Division
April 7, 2017 - April 6, 2027

R. Mark Browning

3rd Division
Chief Judge
May 6, 2010 - May 5, 2020

Glenn J. Kim (retired)

4th Division
April 30, 2007 - April 30, 2019

Jeannette H. Castagnetti

5th Division
Deputy Chief Judge
September 30, 2010 - September 29,
2020

Jeffrey P. Crabtree

6th Division
November 25, 2014 - November 24,
2024

Dean E. Ochiai

7th Division
February 15, 2013 - February 14, 2023

Todd W. Eddins

8th Division
April 7, 2017 - April 6, 2027

Vacant

9th Division
November 30, 2018 - December 31,
2019

James H. Ashford

10th Division
April 24, 2018 - April 23, 2028

Kevin A. Souza

11th Division
October 28, 2019 - October 27, 2029

Shirley M. Kawamura

12th Division
Deputy Chief Judge
December 17, 2015 - December 16,
2025

Matthew J. Viola

13th Division
December 20, 2017 - December 19,
2027

Gary W.B. Chang

14th Division
June 1, 1999 - May 31, 2029

Edwin C. Nacino

15th Division
January 28, 2010 - January 27, 2020

Christine E. Kuriyama

16th Division
Deputy Chief Judge / Senior Family
Court Judge, Family Court November
25, 2014 - November 24, 2024

Ronald G. Johnson

17th Division
October 28, 2019 - October 27, 2029

Edward H. Kubo, Jr. (retired)

18th Division
March 11, 2010 - December 30, 2019

Fa auuga L. To oto o

19th Division
October 7, 2010 - October 6, 2020

Trish K. Morikawa

20th Division
October 28, 2019 - October 27, 2029

Bert I. Ayabe

21st Division
June 10, 2004 - June 9, 2024

Karen T. Nakasone

22nd Division
November 1, 2011 - October 31, 2021

Rowena A. Somerville

23rd Division
December 20, 2017 - December 19,
2027

Second Circuit

Peter T. Cahill

1st Division

September 17, 2012 - September 16, 2022

Rhonda I. L. Loo

2nd Division

June 9, 2011 - June 8, 2021

Joseph E. Cardoza (retired)

3rd Division

Chief Judge (until June 21, 2019)

June 24, 1999 - June 21, 2019

Kelsey T. Kawano

3rd Division (effective December 20, 2019)

December 20, 2019 - December 19, 2029

Richard T. Bissen, Jr.

4th Division

Chief Judge / Senior Family Court

Judge (effective June 24, 2019)

April 29, 2005 - April 28, 2025

Third Circuit

Greg K. Nakamura (retired)

1st Division

Chief Judge

April 18, 1994 - November 29, 2019

Henry T. Nakamoto

2nd Division

Senior Family Court Judge

October 30, 2017 - October 29, 2027

Robert D. S. Kim

3rd Division

November 21, 2017 - November 20, 2027

Melvin H. Fujino

4th Division

Deputy Chief Judge

Chief Judge / Senior Family Court

Judge (effective November 29, 2019)

December 18, 2015 - December 17, 2025

Fifth Circuit

Randal G. B. Valenciano

1st Division

Chief Judge / Senior Family Court Judge

June 15, 2007 - June 13, 2027

Kathleen N. A. Watanabe

2nd Division

August 17, 2005 - August 16, 2025

Family Court

Mission

The mission of the Family Court is to provide a fair, speedy, economical, and accessible forum for the resolution of matters involving families and children.

The Family Courts were established by statute in 1965 to hear all legal matters involving children, such as delinquency, waiver, status offenses, abuse and neglect, termination of parental rights, adoption, guardianship and detention. The Family Court also hears traditional domestic relations cases, including divorce, nonsupport, paternity, uniform child custody jurisdiction cases, and miscellaneous custody matters.

District Family Court judges are appointed to six-year terms by the Chief Justice from a list of at least six names submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

Actions Filed

A total of 24,131 cases were filed in the Family Courts in fiscal year 2018-19.

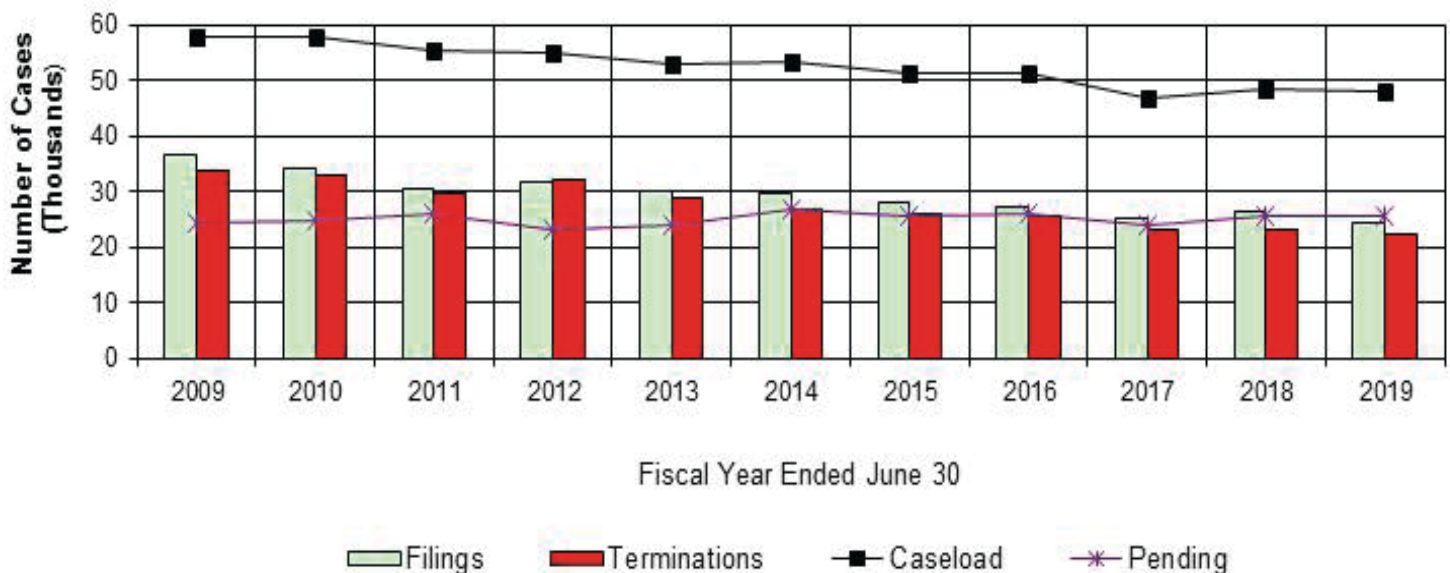
Terminations

Terminations totaled 22,425 in fiscal year 2018-19.

Status of Pending Cases

There were 25,533 cases pending at the end of fiscal year 2018-19.

**Caseload Activity in the Family Courts
Fiscal Year 2008-09 to Fiscal Year 2018-19**



Family Court Judges and their Terms

First Circuit

Christine E. Kuriyama

16th Division
Deputy Chief Judge / Senior Family Court Judge
November 25, 2014 - November 24, 2024

Jennifer L. Ching (retired)

June 24, 2005 - June 28, 2019

Jessi L. K. Hall

December 20, 2017 - December 19, 2023

Sherri-Ann L. Iha

August 26, 2010 - August 25, 2022

Linda K. C. Luke (retired)

December 29, 1986 - July 31, 2019

Dyan M. Medeiros

July 10, 2015 - July 9, 2021

Paul T. Murakami

June 7, 2002 - June 6, 2020

Steven M. Nakashima (retired)

August 26, 2010 - December 30, 2019

Alvin P.K.K. Nishimura

December 10, 2019 - December 9, 2025

Kenneth J. Shimozono

August 26, 2010 - August 29, 2024

Kevin A. Souza

February 15, 2013 - October 27, 2019
(moved to First Circuit Court October 28, 2019)

Bode A. Uale

October 27, 1992 - October 26, 2022

Second Circuit

Richard T. Bissen, Jr.

4th Division
Chief Judge / Senior Family Court Judge (effective June 24, 2019)
April 29, 2005 - April 28, 2025

Adrienne N. Heely

May 14, 2012 - May 13, 2024

Kelsey T. Kawano

Deputy Chief Judge
August 29, 2008 - December 19, 2019
(moved to Second Circuit Court December 20, 2019)

Third Circuit

Henry T. Nakamoto

Third Circuit Court, 2nd Division
Senior Family Court Judge
October 30, 2017 - October 29, 2027

Wendy DeWeese

September 21, 2018 - September 20, 2024

Dakota K. M. Frenz

October 31, 2016 - October 30, 2022

Mahilani E. K. Hiatt

August 31, 2018 - August 30, 2024

M. Kanani Laubach

Interim Deputy Chief Judge (effective June 1, 2019)
August 10, 2016 - August 9, 2022

Fifth Circuit

Randal G. B. Valenciano

Fifth Circuit Court
1st Division
Chief Judge / Senior Family Court Judge
June 14, 2007 - June 13, 2027

Edmund D. Acoba

May 27, 2011 - May 26, 2023

District Court

Mission

The mission of the District Court is to serve the people of Hawaii through the fair and efficient adjudication and resolution of cases and controversies brought before it.

The District Courts have exclusive jurisdiction over traffic infractions and summary possession or ejectment proceedings (landlord-tenant), regardless of the claim amount. The District Courts also have jurisdiction over non-jury trial civil cases where the debt, amount, damages, or value of the property claimed does not exceed \$40,000, or where the remedy sought is specific performance valued under \$40,000, criminal offenses punishable by fine or by imprisonment not exceeding one year, cases arising from violations of

a county ordinance, and petitions for restraining orders for relief from and for injunctions against harassment.

District Court judges are appointed to six-year terms by the Chief Justice from a list of at least six names submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

Caseload Activity (excluding traffic)

Actions Filed

During the 2018-19 fiscal year, 53,708 cases were filed in the District Courts.

Civil actions represented 46 percent of filings, and criminal actions represented 54 percent of filings.

Terminations

A total of 62,872 cases were terminated in the District Courts during the fiscal year.

Status of Pending Cases

There were 40,891 cases pending at the end of fiscal year 2018-19.

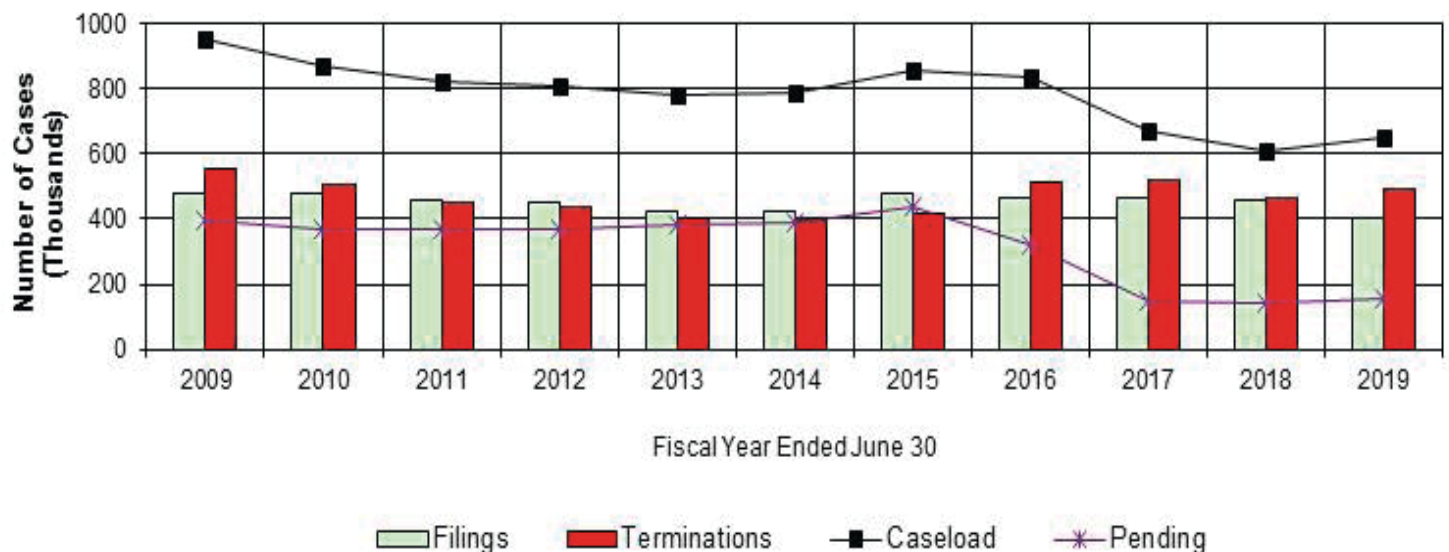
Caseload Activity (traffic and parking)

New filings totaled 348,646 cases in fiscal year 2018-19.

Terminations totaled 427,993 cases in fiscal year 2018-19.

Pending cases at the end of fiscal year 2018-19 totaled 117,782 cases.

**Caseload Activity in the District Courts
Fiscal Year 2008-09 to Fiscal Year 2018-19**



District Court Judges and their Terms

First Circuit

Lono J. Lee (retired)

Deputy Chief Judge
June 10, 2003 - December 30, 2019

Brian Costa

June 2, 2017 - June 1, 2023

William M. Domingo

May 18, 2015 - May 17, 2021

Hilary Benson Gangnes

May 22, 2002 - May 21, 2020

James S. Kawashima

June 30, 2016 - June 29, 2022

Summer M. M. Kupau-Odo

November 29, 2018 - November 28, 2024

Darolyn Lendio Heim

May 3, 2017 - May 2, 2023

Melanie Mito May

Deputy Chief Judge (effective December 31, 2019)
June 23, 2011 - June 22, 2023

James C. McWhinnie

December 17, 2015 - December 16, 2021

Trish K. Morikawa

June 2, 2017 - October 27, 2029
(moved to First Circuit Court October 28, 2019)

Kevin T. Morikone

April 24, 2018 - April 23, 2024

Clarence A. Pacarro (retired)

June 7, 2002 - December 30, 2019

Michael K. Tanigawa

August 26, 2010 - August 25, 2022

Kristine Y. Yoo

August 30, 2018 - August 29, 2024

Second Circuit

Kelsey T. Kawano

Deputy Chief Judge
August 29, 2008 - August 28, 2020
(moved to Second Circuit Court
December 20, 2019)

Kirstin M. Hamman

June 15, 2018 - June 14, 2024

Blaine J. Kobayashi

Deputy Chief Judge (effective December 20, 2019)
October 12, 2010 - October 11, 2022

Lloyd A. Poelman (retired)

December 13, 2013 - December 12, 2019

Third Circuit

Harry P. Freitas (retired)

Deputy Chief Judge
June 1, 2007 - May 31, 2019

Jeffrey A. Hawk

November 4, 2019 - November 3, 2025

Margaret K. Masunaga

December 2, 2014 - December 1, 2020

Darien W.L. Ching Nagata

May 20, 2016 - May 19, 2022

Fifth Circuit

Michael K. Soong

Deputy Chief Judge
January 3, 2017 - January 2, 2023

Edmund D. Acoba

May 27, 2011 - May 26, 2023

Per Diem Judges

First Circuit

Salina Kanai Althof
John C. Bryant, Jr.
Gale L.F. Ching
Michelle N. Comeau
Rebecca A. Copeland
Paula Devens-Matayoshi
Richard J. Diehl
Phillip M. Doi
Peter C. K. Fong
David J. Gierlach
Thomas A. K. Haia
Steven L. Hartley
Ann S. Isobe
Na unanikina u A. Kamali i
Harlan Y. Kimura
Wilson M. N. Loo
Clarissa Y. Malinao
Michael A. Marr
Linda S. Martell
Patricia A. McManaman
Dyan K. Mistsuyama
John A. Montalbano
Russel S. Nagata
Florence T. Nakakuni
Mei Nakamoto
Alvin P.K.K. Nishimura
Maura M. Okamoto
Blake T. Okimoto
Elizabeth Paek-Harris
Andrew T. Park

Natasha Rani Shaw
Randal I. Shintani
Myron H. Takemoto
Frances Q.F. Wong

Second Circuit

Jan K. Apo
John J. Breen
Dexter D. Del Rosario
Michelle L. Drewyer
Mark T. Honda
Fredrick Matson Kelley
Douglas J. Sameshima
Keith E. Tanaka

Third Circuit

Robert John Crudele
Jeffrey A. Hawk
Charles Harrison Hite
Peter K. Kubota
Bruce Alan Larson
Cynthia T. Tai
Kimberly B. M. Taniyama
Diana L. Van De Car

Fifth Circuit

Lisa R. Arin
Jonathan J. Chun
Robert M. Goldberg
Daniel G. Hempey
Joseph N. Kobayashi
Laurel Loo
Joe P. Moss
Sara Lee Silverman

Support Services

Mission

The mission of the Office of the Administrative Director of the Courts is to promote the administration of justice in Hawaii by providing professional, responsive administrative support to the Chief Justice, the courts, and Judiciary programs. Support services help to expedite, facilitate, and enhance the mission of the Judiciary.

Administration

The Office of the Administrative Director of the Courts is responsible for daily operations of the court system. The Administrative Director is appointed by the Chief Justice with the approval of the Supreme Court, and is assisted by the Deputy Administrative Director.

The Equal Employment Opportunity Officer and the Judiciary Security Emergency Management Office are attached to the Office of the Deputy Administrative Director.

Administrative programs are divided into five departments:

The Intergovernmental and Community Relations Department includes: Staff Attorney's Office, King Kamehameha V Judiciary History Center, Children's Justice Centers, Law Library, Center for Alternative Dispute Resolution, Communications and Community Relations, Equality and Access to the Courts, and Office of the Public Guardian.

The Information Technology and Systems Department includes the: Applications Division, Infrastructure

Division 1, Infrastructure Division 2, and the Documents Management Division.

The Policy and Planning Department includes: Budget and CIP Division, Planning and Program Evaluation, Reporting and Statistics Office, Internal Audit, Special Projects/Legislative Coordinating Office, and Capital Improvement Repair and Maintenance Office.

The Human Resources Department includes: Administrative Services, Compensation Management, Employee Services, Disability Claims Management, and Judicial Education.

The Financial Services Department includes: Fiscal Services Division, Contracts and Purchasing Division, and Administrative Drivers' License Revocation Office.

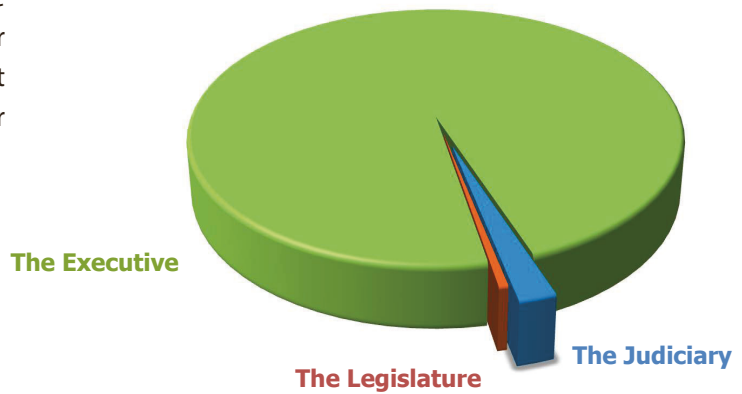
Financial Resources

Appropriations for the Hawaii State Judiciary are made by the Legislature on a statewide basis, with each fiscal year beginning July 1 and ending June 30. Both the operating and capital improvements budgets of the Judiciary are legislatively determined each biennium with operating monies allocated from the State General and Special Funds and capital improvement monies from the State Capital Project Fund.

The Legislature appropriated \$170,318,015 from the State General Fund for operations during the current fiscal year, which constitutes 2.10% of the total state general fund appropriations. Other operating monies come from federal funds, trust funds and special revenue funds, such as the Driver Education and Training Fund.

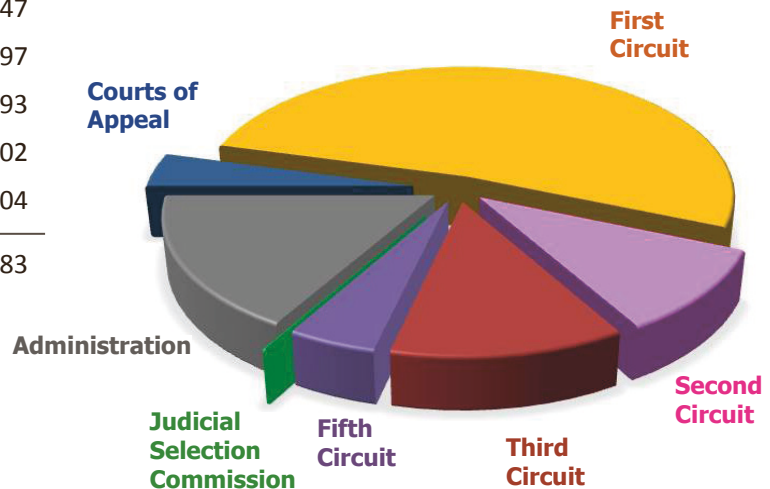
Total State Government Appropriations From State General Fund Fiscal Year 2018-2019

The Judiciary	2.10%	\$170,318,015
The Legislature	0.53%	\$43,090,924
The Executive	97.37%	\$7,892,237,707
Total		\$8,105,646,646



State General Fund Expenditure By Court Element Fiscal Year 2018-2019

Court of Appeals	4.17%	\$7,093,835
First Circuit	51.91%	\$88,330,305
Second Circuit	10.52%	\$17,908,247
Third Circuit	12.24%	\$20,821,897
Fifth Circuit	4.70%	\$8,001,293
Judicial Selection Comm	0.06%	\$98,802
Administration	16.40%	\$27,914,404
Total		\$170,168,783

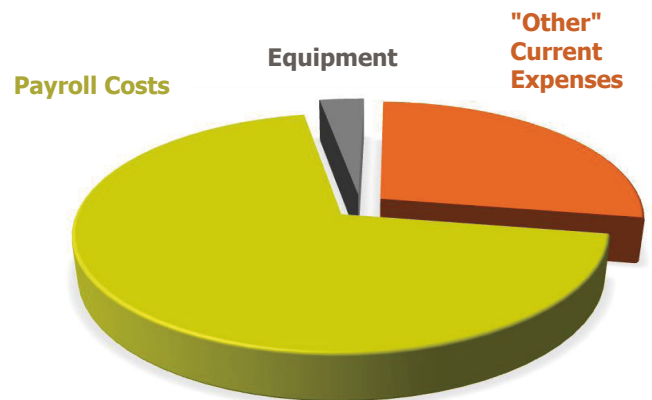


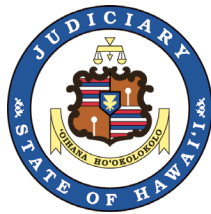
Program		FY 2018 Actual Expenditures	FY 2019 Actual Expenditures	Biennium Budget Appropriations* FY 2020	Biennium Budget Appropriations* FY 2021
JUD 101	<i>Courts of Appeal</i>				
	General Fund	6,875,706	7,093,835	7,216,185	7,313,592
JUD 310	<i>First Circuit</i>				
	General Fund	86,171,439	88,330,305	88,278,054	88,602,752
	Special Fund	3,825,394	3,821,604	4,429,112	4,429,112
JUD 320	<i>Second Circuit</i>				
	General Fund	17,087,132	17,908,247	17,949,998	18,348,304
JUD 330	<i>Third Circuit</i>				
	General Fund	20,130,083	20,821,897	21,729,887	21,798,643
JUD 350	<i>Fifth Circuit</i>				
	General Fund	7,667,146	8,001,293	8,455,480	8,471,902
JUD 501	<i>Judicial Selection Commission</i>				
	General Fund	137,307	98,802	103,414	103,414
JUD 601	<i>Administration</i>				
	General Fund	27,377,359	27,914,404	28,086,186	28,087,239
	Special Fund	6,566,634	6,705,970	8,034,802	8,034,802
	Revolving Fund	18,256	24,916	343,261	343,261
Totals					
	General Fund	165,446,172	170,168,782 ₃	171,819,204	172,725,846
	Special Fund	10,392,028	10,527,574	12,463,914	12,463,914
	Revolving Fund	18,256	24,916	343,261	343,261

* Subject to final legislative review.

**State General Fund Expenditures
By Cost Category
Fiscal Year 2018-2019**

Equipment	1.69%	\$2,876,146
"Other" Current Expenses	28.89%	\$49,165,295
Payroll Costs	69.42%	\$118,127,342
Total		\$170,168,783





Produced by the
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