

STAND. COM. REP. NO.

2146

Honolulu, Hawaii

FEB 09 2022

RE: S.B. No. 2390
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2390 entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase the number of associate judges on the Intermediate Court of Appeals from five to six; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, Hawaii State Bar Association's Appellate Section, and one individual.

Your Committee finds that the Intermediate Court of Appeals expects a significant increase in its caseloads as the trial courts dispose of their backlogs of civil, criminal, and family cases. This backlog is significantly acute in civil cases requesting jury trials or involving out-of-state witnesses or extensive exhibits for evidentiary purposes; criminal cases with constitutional considerations; and certain family cases involving imminent danger. Many of these matters are high priority cases. Your Committee further finds that adding another Intermediate Court of Appeals associate judge would enable the Judiciary to



resolve more appeals expeditiously and address the foreseeable backlog of cases from the trial courts.

Your Committee has amended this measure by:

- (1) Making an appropriation of \$86,688 for the establishment of one permanent full time equivalent judicial assistance position;
- (2) Making an appropriation of \$134,400 for the establishment of two permanent full time equivalent law clerk positions;
- (3) Making an appropriation of \$42,450 for equipment, books, and furniture for the new associate judge's chambers;
- (4) Inserting an effective date of July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2390, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2390, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2390	JDC, WAM	02-01-22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura				✓
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	6	-	-	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes