



Testimony of the  
HAWAII STATE BAR ASSOCIATION

**Kimberly T. Guidry**  
**Intermediate Court of Appeals as Associate Judge (GM 675)**

TO: The Honorable Karl Rhoads, Chair  
The Honorable Mike Gabbard, Vice Chair  
and Members of the Senate Committee on Judiciary

FROM: Rhonda L. Griswold  
President, Hawaii State Bar Association

Hearing: Tuesday, April 25, 2023 at 10:00 a.m.  
Conference Room 225 & Videoconference  
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments on the nomination of Kimberly T. Guidry for the position of Intermediate Court of Appeals as Associate Judge.

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

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

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- Meeting of the President, the Executive Director, and the nominee prior to the scheduled interview of the nominee by the Board.
- Interview of the nominee by the HSBA Board.
- Deliberation of the HSBA Board.
- Submittal of the HSBA Board's recommendation to the confirming authority.

The HSBA President and the Executive Director met with Ms. Guidry on April 18, 2023 to discuss the subcommittee's findings. On April 19<sup>th</sup>, Ms. Guidry was interviewed by the HSBA Board of Directors in executive session.

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

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

Kimberly Guidry, the nominee for the new judicial position on the Intermediate Court of Appeals, is a beneficiary of Hawaii's public education system, having graduated with honors from Kalani High School, the University of Hawaii at Manoa, and the William S. Richardson School of Law. The Nominee has spent her entire legal career in the Department of Attorney General for the State of Hawaii since 2002. She began as a Deputy Attorney General and was subsequently promoted to First Deputy Solicitor General, Supervising Attorney General, and Solicitor General. Ms. Guidry specializes in appellate work and has been involved with many complex and high profile cases, including Red Hill appeals, emergency proclamations, Second Amendment litigation and legislation, reproductive rights, and other constitutional issues. She has also represented Hawaii in multistate amicus briefs, and comment letters on national issues.

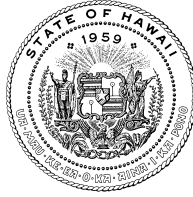
As Solicitor General and a senior member of the Attorney General's Appellate Division, the Nominee guides trial staff in the development of litigation strategies that create thorough case records in anticipation of potential appeals. As a valued senior member of the Attorney General's staff, she served on the Department's Appeals and Opinions Review Committee to provide continuing education for deputies, trained deputies on Hawaii Appellate Rules, and drafted "Hawaii Rules of Appellate Procedure Quick Reference Guide" for the legal staff. She also serves on the Judiciary's Hawaii Rules of Appellate Procedure standing committee and is a Bar Examiner for the Hawai'i State Board of Bar Examiners. And for three months in 2006, the Nominee served as a National Association of Attorneys General Supreme Court Fellow in Washington D.C.

HSBA members (including opposing counsel) noted that Ms. Guidry earns the respect of those around her by always respecting their thoughts and opinions, even when she disagrees. She is known as a diligent attorney who has a solid grasp of appellate procedure and is hardworking,

conscientious, responsible, detailed, and a gifted writer. And it was noted that she possesses the wisdom and experience to make good decisions that will ultimately stand the test of time.

After the interview of the nominee, which included dialogue and questioning relating to her background, experiences, and reasons for pursuing the position of Intermediate Court of Appeals Associate Judge, the Board of the Hawaii State Bar Association found Ms. Kimberly T. Guidry to be **QUALIFIED** for the position of an Associate Judge of the Intermediate Court of Appeals.

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



EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

Testimony of  
**Josh Green, M.D.**  
Governor, State of Hawaii

Before the  
**Senate Committee on Judiciary**  
Tuesday, April 25, 2023  
10:00 a.m.  
State Capitol, Conference Room 225 and Videoconference

In consideration of  
**Governor's Message No. 675**

Chair Rhoads, Vice Chair Gabbard, and members of the Senate Committee on Judiciary:

I respectfully ask for your favorable consideration of Governor's Message No. 675, the appointment of Kimberly Guidry as an Associate Judge for the Intermediate Court of Appeals.

Since December 2019, Kimberly has served as the State's Solicitor General, overseeing most state and federal appeals in the Attorney General's Office, including representing the state in cases before the U.S. Supreme Court. Prior to her appointment as Solicitor General, Kimberly served eight years as the First Deputy Solicitor General and has been with the Attorney General's Appellate Division since 2002.

Kimberly's more than two-decade long career of working with the State's Attorney General's Office demonstrates her commitment to public sector law and service. Her experience and familiarity with the Appellate Courts have also prepared her well for the work necessary for this nomination.

Kimberly received her bachelor's degree in history, graduating summa cum laude from the University of Hawaii at Manoa and earned her Juris Doctorate from the William S. Richardson School of Law at the University of Hawaii at Manoa.

For the reasons above, I am confident that Kimberly Guidry will serve the State well in her capacity and make an excellent selection to preside over cases of the Intermediate Court of Appeals.

Mahalo for your consideration.

**TESTIMONY OF  
GARY S. SUGANUMA**

In consideration of G.M. No. 675

Submitting for consideration and confirmation to the Intermediate Court of Appeals  
As Associate Judge, Gubernatorial nominee, Kimberly Tsumoto Guidry

Before the  
Senate Committee on Judiciary

Tuesday, April 25, 2023  
10:00 a.m.  
State Capitol, Room 225

Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee:

Thank you for the opportunity to offer testimony in strong support of the confirmation of Ms. Kimberly Tsumoto Guidry as Associate Judge to the Hawai'i Intermediate Court of Appeals (ICA).

As a former colleague at the Department of the Attorney General, I can attest that Ms. Guidry is an exceptional nominee to serve on the ICA. In her more than two decades with the Attorney General's Appellate Division, Ms. Guidry has litigated a wide variety of cases before the state and federal appellate courts. Having consulted with her on many cases and issues during my nearly twelve years with the department, I know first-hand that Ms. Guidry possesses exceptional knowledge and understanding of the appellate processes and procedures. I also know that her analytical ability is top-notch, and her integrity is supreme. I strongly urge the committee to recommend advise and consent for this highly qualified and exceptional nominee.

Thank you for the opportunity to provide testimony in support of Governor's Message 675.

**GM-675**

Submitted on: 4/20/2023 6:09:24 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Girard Lau	Individual	Support	Remotely Via Zoom

Comments:

Dear Chairperson and members:

I am Girard D. Lau, Solicitor General of Hawaii from 2011 to 2016.

I'm testifying to offer my strongest recommendation that Hawaii Solicitor General Kimberly Tsumoto Guidry be confirmed for the position of Associate Judge of the Hawaii Intermediate Court of Appeals.

I know Kimberly extremely well — perhaps more than anyone — in terms of her professional ability, legal skills, work ethic and integrity, and am very familiar with her personal qualities as a person. This is because I worked closely with her as a colleague and/or as her supervisor for 14 years in the Appellate Division of the Hawaii Department of the Attorney General. So I am fully aware of her amazing legal capabilities, and her outstanding character.

First, Kimberly's character: Kimberly has the highest ethical standards and integrity. In my 14 years working closely with her on an often daily basis, I have never known her to do anything improper, or to express thoughts reflecting a selfish, improper, discriminatory, or even marginally unethical viewpoint. Instead, she has conducted herself with the utmost integrity, and with compassion for the less fortunate, and others who may often face societal discrimination. She is also a kind and thoughtful person, who genuinely cares about others.

Second, Kimberly's temperament: Kimberly is always calm and composed when dealing with colleagues and opposing counsel, even when many might become very upset. It is thus very clear to me that were Kimberly to become an ICA judge, she would conduct herself on the bench in a very respectful manner, both to colleagues, and, perhaps most importantly, to the advocates who argue before her. She would never blow up or otherwise try to intimidate counsel, but would, of course, like all judges, expect counsel to conduct themselves appropriately and with proper preparation.

Third, Kimberly's legal abilities: Kimberly is an excellent writer, who expresses herself in writing in a very clear way, that will make understanding her judicial opinions easy, and most useful to the legal community. Kimberly's ability to analyze legal arguments, and assess and critique weak or specious theories, is tremendous. She can cogently scrutinize competing legal arguments and theories, and reach a well-reasoned conclusion, and support that conclusion with compelling analysis and case precedent.

She has extensive knowledge of a broad range of caselaw critical to appellate decisionmaking. She is also open-minded and willing to modify her initial position when presented with solid reasoning demanding a different conclusion. I know this as I reviewed virtually all of her written work, including legal briefs, when I was her supervisor.

She is also brilliant in orally discussing legal issues, and engaging in legal debate (which ICA judges do at oral argument), as I spent many hours doing that with her over the years, both as a colleague and as her supervisor. I have witnessed her sharp legal mind in action on numerous occasions, including at Hawaii Supreme Court oral arguments.

Because of her stellar legal ability, Kimberly is uniquely suited to becoming a very effective judge and an impressive asset to the ICA's legal stature. She would certainly become a highly respected jurist were she fortunate enough to become an ICA judge.

In summary, someone possessing all of the above critical qualities for being an excellent ICA judge, as Kimberly does, is a rarity. Accordingly, I offer the strongest recommendation that Kimberly be confirmed to this ICA judgeship.

Thank you for taking the time to consider this sincere, but enthusiastic, recommendation.

Girard D. Lau

Solicitor General (2011-2016)

## GM 675: Testimony in Strong Support by Dave Day

April 20, 2023

The Honorable Karl Rhoads  
Hawai'i State Senator  
Chairperson, Senate Judiciary Committee  
Hawai'i State Capitol, Room 228  
Honolulu, Hawai'i 96813

Re: GM 675: Testimony in **Strong Support** of the Confirmation of Kimberly Tsumoto Guidry as an Associate Judge of the Intermediate Court of Appeals

Dear Chair Rhoads and Members of the Judiciary Committee:

I am testifying in **strong support** of Kimberly Tsumoto Guidry to be confirmed as an Associate Justice of the Hawai'i Intermediate Court of Appeals. I currently serve as the Special Assistant to the Attorney General and am writing this in my personal capacity.

I have known Kim for approximately seven years at the Department of the Attorney General. I have worked with her very closely for about three years. Of those, for one year—from December 2021 to January 2022—Kim was my supervisor when I served as a Deputy Solicitor General.

Kim clearly has substantial legal ability and experience, particularly with respect to appellate law. She is whip smart, diligent, decisive, and extremely well respected in the Department. Kim is kind and fair.

But I would like to talk to you about her temperament and her integrity as a leader—which lead to her ultimate character trait: her wisdom. Kim is extremely calm. She does not get flustered. Even when something goes wrong, Kim is unflappable. She treats everyone around her with respect, including those who do not treat her the same. Kim refuses to play “office politics,” and will always make the right decision, even if it is the tough one. If Kim had an ideological polestar, it is balanced reasonableness in all situations.

I could not recommend Kim strongly enough. As a former ICA law clerk and as a former Deputy Solicitor General working under her leadership, I know that Kim will do enormous good serving the State in the Judiciary. I respectfully request that you recommend that Kim Guidry be confirmed.

Dave Day  
Bar #9427



April 23, 2023

The Honorable Karl Rhoads, Chair  
The Honorable Mike Gabbard, Vice Chair  
Senate Committee on Judiciary  
State Capitol  
415 South Beretania Street  
Honolulu, Hawai'i 96813

Re: GM 675 – Consideration and Confirmation to the Intermediate Court of Appeals  
as Associate Judge, gubernatorial nominee, Kimberly Tsumoto Guidry

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary,

I submit this testimony, in my personal capacity, in strong support of Kimberly Tsumoto Guidry's confirmation to the Intermediate Court of Appeals as an Associate Judge.

For nearly six years, I have worked closely with Kimberly in the Appellate Division of the Department of the Attorney General. Since she became Solicitor General, Kimberly has been my direct supervisor. During this time, I have witnessed Kimberly handle some of the State's most complex and challenging cases, and she has consistently done so with skill, grace, and diligence. She is highly intelligent, her legal writing is top-notch, and if she is handling something, it will be handled well. She takes her work seriously and approaches every issue with care and precision. I have the utmost respect for her as an attorney.

In my view, Kimberly is well-qualified for this position. Few attorneys practicing today can match her level of experience with state appellate practice. She is a tremendous resource for her colleagues, and I frequently seek her thoughts on various matters—not just because she is my boss, but because she consistently offers valuable insight and advice, approaches issues with an open mind, and is tremendously giving of her time.

Above all else, Kimberly is an extraordinarily kind person. Throughout my nearly six years of working with her, Kimberly has, without exception, approached others—whether colleagues or opposing counsel—with respect and professionalism. She is a person of integrity. And, even with her many years of experience and expertise in her field, she is unfailingly humble and gracious. Her character and temperament are well-suited to the bench.

I wholeheartedly support Kimberly's confirmation, and I am confident she would be a true asset to the Court.

Sincerely,

Kaliko'onālani D. Fernandes

**Testimony of  
Matthew S. Dvorch**

April 23, 2023

The Honorable Karl Rhoads, Chair  
The Honorable Mike Gabbard, Vice Chair  
Senate Committee on Judiciary  
State Capitol  
415 South Beretania Street  
Honolulu, Hawai'i 96813

**Re: In Support of the Nomination of Kimberly Tsumoto Guidry to the  
Intermediate Court of Appeals as Associate Judge  
GM 675  
Hearing Date/Time: April 25, 2023 at 10:00 a.m.**

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary:

I write in strong support of the nomination of Kimberly Tsumoto Guidry to the Intermediate Court of Appeals. I currently serve as First Deputy Attorney General of the State of Hawai'i but am writing in my personal capacity.

Although she now serves as Solicitor General of the State of Hawai'i, I first met SG Guidry when we were both line deputies with the Department of the Attorney General. The very first assignment I received as a new deputy attorney general was a particularly thorny appeal involving the Department of Hawaiian Home Lands. At the suggestion of my supervisor, I reached out to SG Guidry for advice on both the procedural and substantive aspects of the case and within hours received from her a detailed and thoughtful response that greatly influenced the way I approached my answering brief. This was to be the first of my many pleasant and productive professional interactions with her. I've watched SG Guidry argue appeals in front of the Hawai'i Supreme Court and have been impressed each time with her preparation and oral advocacy. When we served together on the Department's Appellate Opinion Review Committee, her comments were always insightful and helpful to the deputies. She is highly intelligent, a first-rate writer, and always willing to help others.

Since becoming First Deputy Attorney General, I've had the opportunity to observe SG Guidry's supervisory skills. In her time as Solicitor General, she has improved the work quality and professionalism of the Appellate Division. She has fostered a collegial working environment in which every member of the division likes and respects one another, turns out top-notch appellate briefs in all manner of cases affecting the State of Hawai'i, and offers the Appellate Division's invaluable assistance to other divisions in the Department.

One of SG Guidry's best attributes is her ability to always respect the thoughts and opinions of her colleagues, even when she disagrees. She is even-keeled and possesses the temperament necessary to be a judge. She also has a deep dedication to public service, and she will no doubt bring this dedication to the bench.

I strongly support SG Guidry for this position and urge this committee to look favorably on her nomination. Thank you for the opportunity to testify.

**GM-675**

Submitted on: 4/19/2023 10:01:37 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Li-Ann Yamashiro	Individual	Support	Written Testimony Only

Comments:

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

I am writing to express my strong support for Kimberly Tsumoto Guidry to be confirmed as an Associate Judge in the Intermediate Court of Appeals. I submit this testimony in my individual capacity.

Kimberly and I have worked together for the Department of the Attorney General for many years, and we became supervising deputy attorneys general around the same time a few years ago.

Despite her busy schedule, Kimberly always makes herself available and provides our division with good advice. She approaches the difficult issues we pose to her with calm and poise and has thus exhibited she has the judicial temperament expected for an Associate Judge. She guides us through the issues with her knowledge of the law and also provides us with practical solutions. Her expertise in appellate matters and constitutional issues is invaluable, and although I strongly support her confirmation, I will truly miss being able to consult her for advice.

She is one of the most intelligent attorneys I have the honor to work with and has lead the Appellate Division of the department during probably the most challenging periods of time tackling issues arising from the pandemic to those related to gun rights. She is also one of the few attorneys who has had the chance to intern at the United States Supreme Court as she was a participant through a National Association of Attorneys General program, an opportunity only given to those most qualified.

As an Associate Judge, Kimberly will have to write opinions. In reviewing drafts of her briefs, there is no doubt that Kimberly has the skills and ability as her writing is truly inspiring.

In addition to her legal ability, Kimberly has integrity and moral courage, and her commitment will be to the application of the law. Of equal importance is that she is a genuinely nice person.

There is no better candidate for Associate Judge of the Intermediate Court of Appeals. Her appointment would continue the integrity of the Court and would be for the benefit of the people of Hawai‘i

Thank you for the opportunity to testify on GM 675 and for considering my testimony in strong support of Kimberly Tsumoto Guidry for confirmation to the Intermediate Court of Appeals as Associate Judge.

**GM-675**

Submitted on: 4/19/2023 1:35:23 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carter Siu	Individual	Support	Written Testimony Only

Comments:

I am submitting testimony in strong support of Ms. Kim Guidry's nomination and confirmation as the next judge for the Intermediate Court of Appeals.

I have known and worked with Ms. Guidry for approximately 10 years at the Department of the Attorney General. I know her to be exceptionally bright and articulate, and a zealous advocate for the State of Hawaii. She always had the time to provide constructive feedback and assistance whenever my division had a difficult legal question. Based on my experiences working with Ms. Guidry, it is my belief that she would make an outstanding appellate judge for the State of Hawaii.

April 20, 2023

Re: GM675 Submitting for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, KIMBERLY TSUMOTO GUIDRY, for a term to expire in 10 years.

Dear Chair Rhoads, Vice Chair Gabbard, & Members of the Committee:

I am writing in strong support of Kimberly T. Guidry's confirmation to the Intermediate Court of Appeals as Associate Judge.

Kimberly has been a trusted and loyal friend for over 40 years, and I can attest to her strong moral compass and sound judgment. I am confident that any research into her background will reveal a history of someone who fights for fairness, justice, and equality. Kim is one of the few people in my life that I can confide in, and know that our private conversations will remain as such. As we share our life experiences and challenges with one another, I can always count on Kim to offer balanced and honest advice in a diplomatic way. She is able to consider both sides of a situation objectively, and, although we discuss personal topics surrounding relationships, family, and career, Kim has always shown the utmost respect for her profession and role and has never crossed the line of confidentiality by speaking too freely about her work.

Kim's humbleness and strength of character are expressed through her soft-spoken yet self-assured demeanor. She listens to others thoroughly and gives her opinions with thoughtfulness and sincerity. She tackles challenges in her life with perseverance and fortitude. Her strong work ethic is evidenced in the fact that she regularly works late into the night, during vacations and holidays, and even "unwinds" at night by reading up on constitutional law! Kim truly cares and is passionate about what she does. As a public school educator, I would be proud to be able to give my students (as well as my own daughter and son) a personal example of what can be accomplished with hard work, commitment, and dedication. I strongly support Kimberly Guidry's confirmation to the Intermediate Court of Appeals. Thank you for your consideration of my testimony.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristie Davis', with a long horizontal flourish extending to the right.

Kristie Davis

**GM-675**

Submitted on: 4/20/2023 5:34:55 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Doris Dvonch	Individual	Support	Written Testimony Only

Comments:

I am submitting my **strong support** of confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, KIMBERLY TSUMOTO GUIDRY. Kim will be a brilliant, fair, and invaluable addition to the bench. Thank you.



[rtnakatsuji@gmail.com](mailto:rtnakatsuji@gmail.com)

April 21, 2023

Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair  
Senate Committee on Judiciary

**Re: Letter Supporting Kimberly Tsumoto Guidry for Associate Judge of the Hawai'i Intermediate Court of Appeals (GM 675, hearing on April 25, 2023, 10:00 am, Conference Room 225)**

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

I am submitting this letter in support of the nomination of Kimberly Tsumoto Guidry for Associate Judge of the Hawai'i Intermediate Court of Appeals.

In the interest of full disclosure, I am currently serving as the First Deputy Solicitor General in the Appellate Division of the Department of the Attorney General. Consequently, I am Ms. Guidry's principal deputy in her capacity as Solicitor General and supervisor of the Appellate Division. However, I write this letter not as her subordinate but as someone who has worked closely with her for the last 12 years. Because I have worked with her for so long, I am very familiar with her abilities and character. I can say without a doubt that she possesses abilities and character of the highest level.

Due to the nature our work in the Appellate Division, Ms. Guidry is an expert in appellate practice. She has handled many complex and high-profile cases, including constitutional cases. She has also been involved in the legislative process, due to the role of the Department of the Attorney General in that process. As Solicitor General, she has also been serving as the supervisor of the Appellate Division and therefore has experience managing other attorneys and staff.

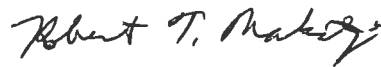
I have seen Ms. Guidry lead the Appellate Division through some very difficult times. This Division is ordinarily staffed by six attorneys and two legal assistants. However, at one point, due to multiple retirements, transfers, and personal emergencies, our Division was down to two attorneys (Ms. Guidry and myself) and no active legal assistants. That was not an easy time, to put it mildly. However, since then, and through Ms. Guidry's hard work, the Appellate Division has grown to become what I regard as a group containing among the best lawyers in Hawai'i. Our Division has handled many major issues for the State, including the Red Hill appeals, emergency proclamations, Second Amendment litigation and legislation, and reproductive rights. We have also represented Hawai'i in multistate amicus briefs and comment letters on national issues and in multistate lawsuits filed against the prior presidential administration. I believe the Appellate Division is critical to the mission of the Department of the Attorney General, and Ms. Guidry has played an indispensable role in leading our Division over the last few years.

Regarding specific cases, Ms. Guidry led the State's defense in *League of Women Voters of Honolulu v. State*, 150 Hawai'i 182, 499 P.3d 382 (2012), which addressed the constitutionality of the Legislature's procedures in enacting legislation. Ms. Guidry also played a major role in the Department's subsequent efforts to explain the requirements of that decision to legislators. See A.G. Opinion No. 22-01.

I believe that Ms. Guidry also has the judgment and temperament to be a fine appellate judge. When dealing with complex cases, it is easy to get lost in the legal doctrines and lose sight of the big picture, or even common sense. But having worked with Ms. Guidry for many years, I believe that, fundamentally, she possesses the wisdom and experience to make good decisions that will ultimately stand the test of time.

Please note that the opinions expressed here are made in my personal capacity and nothing in this letter should be interpreted as reflecting the position of the Department of the Attorney General or the Appellate Division.

Sincerely,

A handwritten signature in black ink that reads "Robert T. Nakatsuji". The signature is written in a cursive, slightly slanted style.

Robert T. Nakatsuji

**GM-675**

Submitted on: 4/20/2023 5:14:43 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

NO WAY !!!!!

# Cronin, Fried, Sekiya, Kekina & Fairbanks

*Attorneys at Law, A Law Corporation*

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David L. Fairbanks (Ret.)  
Stuart A. Kaneko (Ret.)  
Keith K. H. Young (Ret.)

April 21, 2023

VIA EMAIL: [JDCtestimony@capitol.hawaii.gov](mailto:JDCtestimony@capitol.hawaii.gov)

Ref: GM 675

Hearing: Tuesday, April 25, 2023, 10:00 a.m.

The Honorable Senator Karl Rhoads, Chair,  
The Honorable Senator Mike Gabbard, Vice Chair, and Members  
Senate Committee on Judiciary  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

**Re: GM 675 –KIMBERLY TSUMOTO GUIDRY for Associate Judge of the Intermediate Court of Appeals, State of Hawaii - IN SUPPORT**

Dear Senator Rhoads and Committee Members,

I write in SUPPORT of the appointment of Solicitor General Kimberly T. Guidry for the position of Associate Judge of the Intermediate Court of Appeals. I am a shareholder in the law firm of Cronin, Fried, Sekiya, Kekina and Fairbanks, and I have been licensed to practice law since 1993.

I have known Kimberly for over eight years. We are both members of the Hawai`i Supreme Court's Standing Committee on the Hawai`i Rules of Appellate Procedure. Throughout my considerable first-hand experience with her, she has consistently impressed me with her intelligence, breadth of legal knowledge and experience, and compassionate, calm and thoughtful demeanor. She is a consummate professional who in my opinion is one of the best -- if not the best -- appellate lawyers in Hawai`i.

Kimberly has dedicated her life to public service, having joined the Department of the Attorney General as a Deputy Attorney General in 2002. She has steadily and faithfully worked her way up the ranks at the Attorney General's office, working exclusively in the Appellate Division, becoming First Deputy Solicitor General in 2011, and finally well-deservedly taking on the position of Solicitor General in 2019. She has worked on countless appellate cases and appeared before the Hawai`i Supreme Court, the Hawai`i Intermediate Court of Appeals, and

Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair, and Members  
Committee on Judiciary  
April 21, 2023  
Page 2 of 2

the Ninth Circuit Court of Appeals of the United States. She has served the State with dedication and drive, and honed her already formidable administrative and supervisory skills overseeing significant aspects of what effectively is the largest law firm in the state.

Kimberly is also dedicated to public service and education, as the wide scope of her civic and educational activities attest. I also know her to be devoted and loyal to her family, and rather miraculously balances her work and home life without detriment to either.

I wholeheartedly believe that Solicitor General Kimberly T. Guidry possesses all of the necessary skills and characteristics to be an outstanding Associate Judge of the Intermediate Court of Appeals. I am confident that she will be an excellent member of our esteemed Judiciary, and I support her appointment without reservation. She will do you and all of us proud.

Thank you for this opportunity to support Kimberly T. Guidry's appointment as Associate Judge of the Intermediate Court of Appeals. Please feel free to contact me should you have any questions or if I may be of any assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Geoffrey K. S. Komeya", with a long horizontal line extending to the right.

Geoffrey K. S. Komeya

GKSK:ant

**GM-675**

Submitted on: 4/21/2023 9:56:33 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Judge Daniel Foley (ret.)	Individual	Support	Written Testimony Only

Comments:

Dear Mr. Chairman and members of the Judiciary Committee,

I fully support the confirmation of Kimberly Guidry as an Associate Judge of the Intermediate Court of Appeals (ICA). I believe she will be a welcomed addition to the ICA.

I am very familiar with Kim's work as an appellate advocate, she having appeared before me numerous times when I served on the ICA. Her work was always impeccable. Kim has an incisive legal mind, writes extremely well, has unquestioned integrity and conducts herself in the most professional manner.

Since retiring from the ICA, I have also worked with Kim and her office on a number of cases. I have great respect for her as a person and admiration of her work.

I look forward to the day when Kim takes her seat on the ICA (my favorite court).

Mahalo, Judge Daniel Foley (ret.)

**GM-675**

Submitted on: 4/21/2023 10:17:43 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Gary Yamashiroya	Individual	Support	Written Testimony Only

Comments:

Testimony of Gary Yamashiroya

April 21, 2023

GM 675 Submitting for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, Kimberly Tsumoto Guidry, for a term to expire in 10 years.

Before the Senate Committee on Judiciary

Tuesday, April, 25, 2023

10:00 AM

Conference Room 225

Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee:

Thank you for this opportunity to testify on this measure. I am writing in **strong support** of Kimberly Tsumoto Guidry for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge.

I came to know Kimberly Tsumoto Guidry when I was the Special Assistant to the Attorney General. She was and currently is the Supervisor and Solicitor General of the Department of the Attorney General's (ATG) Appellate Division.

As the Special Assistant, I had the opportunity to regularly interact with Ms. Guidry and her division's deputy solicitors general, particularly on constitutional issues at both the state and national level. Also, ATG was frequently requested to join or support key multi-state initiatives and/or litigation addressing critical legal issues with far-reaching and significant consequences. In every case, the Appellate Division's analysis of the multi-state reviews and constitutional issues submitted to the Attorney General for approval were well written, thorough, and intellectually sound based on established legal principles. It was evident that this was attributable to Ms. Guidry's intellect and her guidance and mentorship of her team.

Throughout my time at the Department of the Attorney General, I found Ms. Guidry to be intelligent, thoughtful, conscientious, ethical and meticulous. On top of that, she is a respectful and kindhearted person. Her significant experience in appellate law is clear evidence that she is the right person for this crucial position and I am confident that she will continue to strive to uphold the rule of law.

It is for these reasons that I strongly support Kimberly Tsumoto Guidry's nomination and confirmation and thank you again for this opportunity to testify.



**GM-675**

Submitted on: 4/21/2023 2:08:16 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
THOMAS WATSON	Individual	Support	Written Testimony Only

Comments:

04/21/2023

Testimony regarding Kimberly Guidry

I have known Mrs. Guidry for nearly 15 years. I believe her to be an honorable person with exceptional critical decision making skills. Her appointment to the Intermediate Court of Appeals as Associate Judge would be a true asset the State of Hawaii.

Sincerely,

Thomas D. Watson

Watson Properties, Inc

**GM-675**

Submitted on: 4/21/2023 2:25:47 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Daniel Harris-McCoy	Individual	Support	Written Testimony Only

Comments:

I strongly support the confirmation of Kimberly Tsumoto Guidry to the Intermediate Court of Appeals as Associate Judge. Kimberly possesses an outstanding legal mind and personal character. The Hawaii judiciary will be lucky to have her. With Aloha, Daniel Harris-McCoy

**GM-675**

Submitted on: 4/21/2023 4:43:19 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Candace J. Park	Individual	Support	Written Testimony Only

Comments:

Kim Guidry will make an excellent Associate Judge on the Intermediate Court of Appeals. She is an intelligent, reasonable, and experienced attorney. She is also gracious, patient, poised, and kind. Kim has the perfect temperament to be a judge on any court, but is extremely qualified for the ICA due to her wealth of appellate practice. I strongly support Kim's nomination to the ICA. Thank you.

**GM-675**

Submitted on: 4/21/2023 5:57:16 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lauren K Chun	Individual	Support	Written Testimony Only

Comments:

I write in strong support of Ms. Guidry as nominee to the ICA. Although I am currently employed as a Deputy Attorney General for the State of Hawaii, I submit this testimony in my individual capacity only.

I have had the privilege of working with Ms. Guidry in her capacity as the Solicitor General. As I'm sure many testify, she is a brilliant appellate attorney with consistently excellent judgment. As a leader, she is diligent and thoughtful but also exceedingly kind. Her integrity, work ethic, and kindness should be the example that all civil servants should strive for. As a former clerk in the ICA, I know she will shine on the court and will be a terrific mentor to generations of future clerks, who hopefully will follow her example themselves when they become practicing attorneys. The ICA and the State as a whole would be lucky to have Ms. Guidry on the bench.

Lauren Chun, Bar #10196.

**GM-675**

Submitted on: 4/22/2023 1:18:43 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
William Wynhoff	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads and Members of the Committee

I ask that you recommend that the full Senate confirm Kimberly Guidry as ICA Judge. Ms. Guidry and I worked together at the Department of Attorney General (I'm now retired) for many years. We reviewed each others briefs and served on the AG's AOR committee which oversees all appellate briefing. Ms. Guidry is an incisive legal thinker and a fine writer. Her input to others was remarkable for both its quality and for its gentleness.

Ms. Guidry is now the Solicitor General and (as such) supervisor of the Appellate Division. I know many of the folks in that department and I've nothing but good things about her work.

I am wholly confident that Ms. Guidry will be a terrific ICA Judge. Please recommend her confirmation.

Best regards

Bill Wynhoff

**GM-675**

Submitted on: 4/23/2023 12:45:13 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stella Kam	Individual	Support	Written Testimony Only

Comments:

Chair Rhoads and members of the Committee,

I am a deputy attorney general in the Administration Division and am testifying in my personal capacity in strong support of Kimberly Guidry for the judicial position on the Intermediate Court of Appeals. Kim has done an outstanding job leading the Appellate Division of the Department of the Attorney General for several years. She is an excellent attorney and is known for her meticulous preparation. She is also extremely helpful in sharing her knowledge and preparing other deputy AGs for their oral arguments before the appellate courts. Her insightful comments helped me tremendously in preparing for oral argument before the Hawaii Supreme Court.

Kim is also very calm and unfailingly polite to everyone. She will be missed tremendously in our department, but she is an excellent choice for the Intermediate Court of Appeals. I hope this Committee will recommend her appointment.

Sincerely,

Stella Kam

**GM-675**

Submitted on: 4/23/2023 9:35:37 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nathan Chee	Individual	Support	Written Testimony Only

Comments:

Chair Rhoads and Members,

I respectfully submit this testimony in **STRONG SUPPORT** for the confirmation of gubernatorial nominee Kimberly Guidry to serve as associate judge for the State of Hawaii Intermediate Court of Appeals. I have known Kimberly since 2002 when we both joined as deputy attorneys general at the Department of the Attorney General. As we worked on the same floor for most of that time I was fortunate to know Kimberly both professionally and personally. As a colleague Kimberly was always my go-to person for all the difficult appellate issues that arose in our division. Though always busy, Kimberly would patiently listen to our questions and provide guidance that could be relied on without question. I have always been impressed with her ability to quickly grasp difficult tax concepts even though they are not a regular part of her practice.

In addition to being an excellent deputy, supervisor, and Solicitor General, I also observed Kimberly to be very family focused as a loving mother to two children. She embraced both the challenges and joys of raising kids while balancing work with family responsibilities. Kimberly's strong family values illustrate a well rounded personality that will serve her well as an associate judge.

In summary, Kimberly has the attributes, both professionally and personally, that would make her an excellent appellate judge. Thank you for the opportunity to testify in strong support for Kimberly Guidry to be an associate judge at the Intermediate Court of Appeals.

Sincerely,  
Nathan Chee

*Testimony of  
Deirdre Marie-Iha*

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April 23, 2023

Senate Committee on Judiciary  
State Capitol, Room 225  
415 South Beretania St.  
Honolulu Hawaii 96813

Re: Nominee for Associate Judge, Intermediate Court Appeals,  
**Kimberly Tsumoto Guidry**  
Tuesday, April 25, 2023, 10:00 am, **GM 675**

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

I write in strong support of Kimberly Guidry's nomination as Associate Judge at the Intermediate Court of Appeals. I am an attorney with over 23 years' experience, with 20 of those years as an appellate practitioner in the state and federal appellate courts. I am currently a partner at Goodsill Anderson Quinn & Stifel, where I primarily work in appeals and litigation; I joined Goodsill in 2018. Before that I was a deputy attorney general at the Department of the Attorney General for 14 years. It is in that capacity that I know Kimberly's work. She and I worked together in the AG's Appellate Division for 12 of those years and I have known Kimberly as a colleague and friend since 2004.

Kimberly is an exceptionally well-qualified nominee for the ICA. She has extensive appellate experience, in a wide variety of areas of law. Her deep-seated knowledge of appellate procedure will allow her to hit the ground running at the ICA. Having seen her work many times of the years, I can personally attest to her intelligence, diligence, thoroughness, and caution. Her legal analysis is top notch, and she is also a skilled legal writer. All of those qualities will make her a terrific appellate judge and a welcome addition to the ICA. As a coworker, Kimberly is approachable, easy to talk to, and kind.

In a way it astonishes me that so many years have gone by since Kimberly and I started working together back in 2004. Nineteen years later, it is, truly, an absolute privilege to write in support of such a knowledgeable and experienced appellate practitioner. I strongly urge this Committee to vote in favor of her confirmation.

Very truly yours,

*/s/ Deirdre Marie-Iha*

Deirdre Marie-Iha



April 23, 2023

Senator Karl Rhoads, Chair  
and Committee Members  
Committee on Judiciary  
State Capitol, Room 225  
415 South Beretania Street  
Honolulu, HI 96813

RE: GM675, Submitting for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, KIMBERLY TSUMOTO GUIDRY, for a term to expire in 10 years; DATE: Tuesday, April 25, 2023; TIME: 10:00 AM

**TESTIMONY IN STRONG SUPPORT**

Dear Senator Rhoads and Members of the Committee:

This testimony is made in my personal individual capacity and is in STRONG SUPPORT of the confirmation of Kim Guidry to serve as an ICA Associate Judge. I am an attorney who has practiced law in Hawaii for over 22 years and am currently a Supervising Deputy Attorney General with the State of Hawaii. Through my work with the Department, I have had the opportunity to work closely with Kim. Last year, while I held the position of First Deputy, Kim reported to me as the Solicitor General and Supervisor of the Appellate Division. During this time, her work was consistently superlative, and her management skills were exemplary.

Being exceptionally insightful and intelligent, Kim is able to digest complex legal issues and compose thoughtful, well-written, and sound legal analysis. Her grasp of a wide range of subject matters is a by-product of her strong work ethic. Always willing to assist, Kim is a team player who goes the extra mile to research and discuss novel questions of law so that the Attorney General and Department can make the most informed decision possible.

In addition, Kim is a great supervisor and leader who manages the appellate division with a deft touch. She has a calm demeanor and is a kind and understanding person able to get along well and work well with others. In my judgment, and based on my years of experience as an attorney and as a prior ICA law clerk, Kim has a temperament well-suited for the appellate court.

Therefore, I respectfully and strongly urge the Committee and the Senate to confirm Kim Guidry's appointment as an ICA Associate Judge. She is very deserving of the honor, has demonstrated a strong commitment to public service, and would be an excellent contributor to the Judiciary, helping to shape Hawaii's laws for the next generation.

Thank you for this opportunity to submit testimony in strong support of GM675.

Very truly yours,



Valerie M. Kato

**GM-675**

Submitted on: 4/24/2023 2:20:05 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
dana viola	Individual	Support	Written Testimony Only

Comments:

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee on Judiciary:

I strongly support Kimberly Tsumoto Guidry's confirmation to the Intermediate Court of Appeals as Associate Judge and do so in my personal capacity.

I have known Kimberly since she began her legal career in the Appellate Section of the Department of the Attorney General (Department) and have worked closely with her in my prior leadership roles with the Department. From the start, Kimberly demonstrated her intelligence through her ability to assess, understand, and explain difficult legal arguments. She tackled some of the Department's toughest appellate issues, working tirelessly on heavy, complex caseloads, while always willing to graciously assist when called upon for advice and guidance by the Department's Administration and her colleagues.

Kimberly is a talented appellate specialist who is a valued resource for the Department, and she also is a patient, conscientious, fair, and efficient manager/supervisor. She inevitably advanced to become the Solicitor General, and the Appellate Section has thrived and fortified its role as the brain trust of the Department under her leadership.

Finally, Kimberly is kind and humble and a person of integrity and quiet strength. I strongly believe she is ideally suited for the Appellate bench and respectfully request that you confirm Kimberly Tsumoto Guidry as the next Associate Judge of the Intermediate Court of Appeals.

Sincerely,

Dana Viola

**GM-675**

Submitted on: 4/24/2023 6:02:33 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Abbey Day	Individual	Support	Written Testimony Only

Comments:

Kim Guidry is a highly ethical person - I strongly support her nomination.

**GM-675**

Submitted on: 4/24/2023 7:29:51 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Janine Udui	Individual	Support	Written Testimony Only

Comments:

Chair Rhoads and Members of the Committee:

I write in strong support of Kimberly Tsumoto Guidry's nomination to the Hawaii Intermediate Court of Appeals. I am currently a Deputy Attorney General and am writing in my personal capacity.

As evidenced during her time at the Department of the Attorney General, Kim's knowledge of appellate law and procedure is unmatched. Throughout her legal career, Kim has consistently demonstrated her ability to grasp complicated legal issues and clearly communicate her analysis on the appropriate application of the law. Kim is a dedicated public servant and possesses the commitment to follow the rule of law and promote justice for the people of the State of Hawaii. She is extremely intelligent, hard-working, and fair. She also has the appropriate temperament and character that is so important for a judge. In short, Kimberly Tsumoto Guidry would make an outstanding addition to the Intermediate Court of Appeals.

For these and other reasons, I strongly urge her confirmation.

Thank you for the opportunity to testify.

Janine Udui

**GM-675**

Submitted on: 4/24/2023 8:42:41 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Christopher Leong	Individual	Support	Written Testimony Only

Comments:

Chair Rhoads, Vice Chair Gabbard, and members of the Committee on Judiciary:

I am testifying in strong support of Kimberly Tsumoto Guidry for confirmation to the Intermediate Court of Appeals as Associate Judge. I am currently employed as a Deputy Attorney General, but I submit this testimony in my individual capacity.

While I have been a colleague of Kim's since I joined the Department of the Attorney General in 2018, I actually first met Kim several years prior to that. In 2015, I began organizing events for the Hawaii State Bar Association's Appellate Section, and Kim and several other appellate attorneys from the Department would regularly attend these events. Even from that time, I was impressed by Kim's insights, experience, and deep knowledge of state and federal appellate law.

Now that we work in the same office, I have only seen these attributes continue to develop. And while Kim has consistently had a robust workload over the years as a Deputy Solicitor General and more recently as Solicitor General, she has always conducted herself with the utmost grace, humility, patience, and kindness. Besides possessing a sharp legal mind, she has the perfect temperament to serve as an appellate judge and I have no doubt she will have a seamless integration into the ICA.

While her departure will be a loss for the Department of the Attorney General, it will be a tremendous gain for the Judiciary. I strongly urge the Committee to vote favorably on her nomination and thank you for the opportunity to testify.

**GM-675**

Submitted on: 4/24/2023 8:43:37 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Donna Kalama	Individual	Support	Written Testimony Only

Comments:

GM 675

Submitting for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, KIMBERLY TSUMOTO GUIDRY, for a term to expire in 10 years.

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Judiciary Committee:

I write in **strong support** of Kimberly Tsumoto Guidry as Associate Judge of the Intermediate Court of Appeals. Ms. Guidry has the experience, intelligence, and temperament necessary to make an excellent appellate judge.

Ms. Guidry has had an impressive career as an appellate attorney including as the Solicitor General – the State’s lead appellate lawyer – for the past few years. Time and again she has demonstrated her strong analytical skills and thoughtful, measured approach to legal issues. She is hard-working and diligent, a team player who is always willing to help others, which will make her a great colleague for the other judges of the ICA. Ms. Guidry is compassionate, fair, calm, and even-handed. She will treat all parties and counsel in an unbiased and respectful manner. She will uphold the highest ethical standards. And Ms. Guidry is a devoted public servant as evidenced by her years of service to the Department of the Attorney General.

I respectfully urge this Committee to recommend **consent** to the nomination of Kimberly Tsumoto Guidry.

Donna Kalama

**Senate Committee on Judiciary**  
**Tuesday, April 25, 2023**  
**10:00 a.m.**  
**State Capitol, Conference Room 225**

**GM 675, Consideration and Confirmation of**  
**KIMBERLY TSUMOTO GUIDRY**  
**As Associate Justice, Intermediate Court of Appeals**

Chair Rhoads, Vice Chair Gabbard, and Committee Members,

I am writing in strong support of the nominee Kimberly Guidry for the position of Associate Justice of the Intermediate Court of Appeals.

Kim has been heavily involved with the work of the Department of the Attorney General throughout her career with the Department and will bring that strong work ethic with her to the Intermediate Court of Appeals. Upon graduation from law school, she showed such promise that she was offered a position as a deputy AG despite the lack of legal experience. Hiring someone without at least a few years of practice as a lawyer was an unprecedented decision by the Department, and one I believe that the Department has not repeated with anyone else. Kim has since more than fulfilled the potential that everyone here saw in her. I have seen her grow professionally, increasing her knowledge and mastery of a myriad of legal subjects. Now as the State's Solicitor General, she supervises the Department's Appellate Division and in that capacity her familiarity and understanding of the important issues facing the State has only deepened.

Kim not only commands an impressive breadth of legal knowledge, she is generous with her time, making herself available to think and talk through and analyze a problem with you. I have had the opportunity as a deputy and a supervising deputy attorney general to consult with Kim on numerous matters, and have found her to be unfailingly helpful in contributing to the resolution of issues. She is consistently considerate, prepared, thorough, thoughtful, and decisive. Her analysis is clear as are her speech and her writing.

I believe that given Kim's interest in public service and her experience in the Department, she will be able to meaningfully contribute to the operations of the Intermediate Court of Appeals. She is so thoroughly qualified for this position, and I urge the Committee to recommend her for confirmation.

Thank you for the opportunity to provide this testimony in strong support of Kim.

Very truly yours,

/s/ Patricia Ohara

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the JDC Committee,

I strongly support the nomination of Kimberly Tsumoto Guidry to the Intermediate Court of Appeals.

I have known Ms. Guidry (Kim) personally and professionally for over twenty-five years. I first met Kim when we were both juniors studying history at the University of Hawai'i at Manoa. As a student, Kim was smart, studious, diligent, and well-prepared. Despite her rigorous academic schedule, Kim always found time to help others by serving in student government and service clubs.

After graduating from college and law school, Kim and I worked together as deputy attorneys general at the Department of the Attorney General. Kim's work ethic and her commitment to public service continued from her college years into her career as a deputy attorney general and Solicitor General. As a colleague, Kim was always willing to provide guidance and insight on the daunting world of appellate litigation. As someone who has devoted her entire legal career to appellate work, Kim has a deep appreciation and comprehensive understanding of the of the appellate forum.

On a personal level, I have been fortunate to have a decades-long friendship with Kim. She is kind, patient, supportive, and dependable. I can always count on Kim to help me navigate through some of life's biggest challenges and to celebrate life's happiest moments.

Kim's strong character, work ethic, intelligence and compassion make her an ideal judge for the Intermediate Court of Appeals.

Thank you for your time and consideration.

Sincerely,  
Joanna Yeh, Esq.



**GM-675**

Submitted on: 4/24/2023 9:13:38 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Reese Nakamura	Individual	Support	Written Testimony Only

Comments:

Thank you for the opportunity to provide testimony **in strong support** of the confirmation of Kimberly Tsumoto Guidry to the Intermediate Court of Appeals as Associate Judge. Please note that I submit this testimony in my personal capacity.

I have had the pleasure of working with Ms. Guidry as a fellow Deputy Attorney General for nearly 18 years. During that time I have witnessed Ms. Guidry demonstrate her remarkable expertise on state and federal legal issues, as well as her diligent work ethic, listening skills, and overall wise judgment. I have also found her to be a kind, compassionate, and genuinely good person. In summary, Ms. Guidry possesses the professional credentials and personal qualities that would enable her to serve the Judiciary and Hawaii extremely well.

Thank you again for the opportunity to submit this testimony in strong support of Ms. Guidry.

TO: Senate Judiciary Committee

FROM: James W. Walther

RE: GM 675, Relating to the confirmation of Kimberly Tsumoto Guidry as Associate Judge of the Hawaii Intermediate Court of Appeals

HEARING: Tuesday, April 25, 2023, 10:0 AM  
Conference Room 225 & Videoconference, State Capitol

Chair Rhoads and Members of the Committee:

I write in support of your consideration and confirmation of Kimberly T. Guidry as an Associate Judge to the Intermediate Court of Appeals. Ms. Guidry is well qualified by her intellect and her experience, as well as her genuine commitment to public service.

I have had the pleasure of working with Ms. Guidry as a Deputy with the Department of the Attorney General for many years. During that time, I have had the opportunity to work on several projects and cases and serve on committees with her, and always find her work to be outstanding. She is a straightforward in her legal analysis and communicates complex ideas in a way that is clear and understandable to someone who may be less familiar with those ideas. In addition to her excellent work product, Ms. Guidry is collegial and able to work collaboratively, which I believe are essential traits for the work of the appellate courts.

Finally, I would like to add that I honestly just like working with Kimberly because she is so kind and really cares about her work and her colleagues. It is with mixed emotions that I make this recommendation, because it will be hard to replace her both in talent and spirit. Yet I wholeheartedly recommend her for the position of Associate Judge of the Intermediate Court of Appeals because I know that she will fill that role admirably.

**GM-675**

Submitted on: 4/24/2023 9:28:08 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kelson Paiva	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice-Chair Gabbard and Members of the Committee: ,

I am writing in support of GM 675 for the consideration and confirmation of Kimberly Guidry to the Intermediate Court of Appeals as Associate Judge. I have briefly worked with Ms. Guidry over the last couple years while employed at the Attorney General's office and have found her to be a professional, competent, and an intelligent individual. I believe that the experience she holds as the Solicitor General and her vast legal background litigating in many complex appellate cases in state and federal appellate courts in a wide variety of legal issues has given her the expertise to be an invaluable asset. If given the opportunity to serve on the Intermediate Court of Appeals, I am confident that she will be a fair and impartial representative of the Court to uphold the laws in the best interest of our communities and to the State.

I urge the committee and legislature to support the consideration and nomination for GM 675.

Mahalo,

Kelson Paiva

April 24, 2023

Senator Karl Rhoads, Chair, and Committee Members,  
Senate Committee on Judiciary  
State Capitol, Conference Room 225  
415 South Beretania Street  
Honolulu, HI 96813

Re: GM 675 Submitting for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, KIMBERLY TSUMOTO GUIDRY, for a term to expire in 10 years.

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee on Judiciary,

I submit this testimony in **strong support** of the confirmation of Kimberly Tsumoto Guidry for the position of Associate Judge on the Intermediate Court of Appeals.

I have worked directly with Kimberly for over seven years and, since October of 2019 when Kimberly was appointed supervisor of the Appellate Division, until the present, she has been my direct supervisor.

During this time, I have worked with Kimberly on a daily basis and I can whole-heartedly recommend Kimberly for the position of Associate Justice. In all the years I have worked with Kimberly, she has always been calm, fair, and above all else, kind. I also know her to be extremely intelligent, diligent, and thoughtful in her work. As supervisor, Kimberly has always shown the utmost understanding to help with any issues that have arisen, and her door has always been open. She has been an excellent leader of the Appellate Division and, should she be confirmed, would be sorely missed.

Kimberly has a vast amount of appellate experience, in addition to her vast experience across many areas of law. Added to her professionalism, thoughtfulness, and overall character, these are qualities that I can confidently say will make her an excellent judge. I believe Kimberly would be an asset to the Hawai'i Judiciary, and I fully support her confirmation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ewan C. Rayner', with a long horizontal flourish extending to the right.

Ewan C. Rayner

**GM-675**

Submitted on: 4/24/2023 9:54:18 AM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robyn Chun	Individual	Support	Written Testimony Only

Comments:

I support the appointment of Kim Guidry as associate justice of the Intermediate Court of Appeals. I have worked with Kim for more than 10 years and have found her to be a helpful resource on appellate matters. She has been hard-working and thoughtful about the issues presented in every brief filed on behalf of the State. I know she will be an excellent addition to the Intermediate Court of Appeals.

**TESTIMONY IN STRONG SUPPORT OF THE CONFIRMATION OF KIMBERLY TSUMOTO GUIDRY AS  
ASSOCIATE JUDGE OF THE INTERMEDIATE COURT OF APPEALS (GM675)**

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

I write in my personal capacity to provide testimony in **strong support** of Kimberly Tsumoto Guidry's confirmation to be an Associate Judge of the Hawai'i Intermediate Court of Appeals. I believe Ms. Guidry would be an outstanding appellate court judge.

Since March 2020, I have had the great privilege of working with Ms. Guidry in the Appellate Division of the Department of the Attorney General, the division Ms. Guidry supervises as our State's Solicitor General. During that time, I have had the chance to see Ms. Guidry lead the Appellate Division with integrity, compassion, and skill.

Ms. Guidry would be extraordinarily well qualified to serve as an appellate judge. As the State's Solicitor General, Ms. Guidry has overseen complex appellate litigation in both state and federal courts, and she has served as counsel of record in a wide range of cases. Ms. Guidry is an excellent writer, a skilled litigator, and a thoughtful and careful attorney. Moreover, as Solicitor General, Ms. Guidry has consistently demonstrated that she not only an excellent attorney but also a person of complete integrity. On a daily basis, she been a source of insight, wise counsel, and compassion.

I believe all of these qualities would make Ms. Guidry a tremendous asset to the Intermediate Court of Appeals.

Thank you for the opportunity to provide testimony.

Sincerely,

*/s/ Nicholas M. McLean*

Nicholas M. McLean

**GM 675—Nomination of Kimberly Tsumoto Guidry to be an Associate  
Judge of the Intermediate Court of Appeals  
Testimony of Mark Bennett in Support  
April 25, 2023  
Hawaii State Senate Committee on Judiciary**

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

I am responding to your Notice of Hearing, and I respectfully submit this testimony in strong support of the Governor's nomination of Kimberly Tsumoto Guidry to be an Associate Judge of the Intermediate Court of Appeals.<sup>1</sup>

I am a judge on the United States Court of Appeals for the Ninth Circuit.<sup>2</sup> I served eight years as the attorney general of the State of Hawaii. I first met Ms. Guidry shortly after I became attorney general. Ms. Guidry was an attorney in our appellate division. Ms. Guidry and I worked together on many litigation cases, at both the trial and appellate levels. Ms. Guidry was a superb attorney. She brought excellence, diligence, and the highest possible ethical standards to 100% of the projects on which she worked. I gave Ms. Guidry some of my hardest assignments because I completely trusted her work.

Beyond her skill and diligence, Ms. Guidry brought a calm demeanor to even the most stressful situations. And Ms. Guidry always treated everyone with respect. I never saw (nor heard of) any occasion when Ms. Guidry did not do so. Ms. Guidry was respected by her colleagues and opposing counsel because she was the consummate highly skilled, highly ethical attorney.

I believe these skills would well serve Ms. Guidry as a judge on the Intermediate Court of Appeals. She has had experience with most issues she would face (no new judge on any court has experience with every issue), and because she is such a quick study, she would quickly develop expertise in any new substantive areas.

The ICA is a workhorse court. I believe Ms. Guidry would be ideally suited to that court because of her skill, diligence, and work ethic.

I respectfully ask the Committee on Judiciary to recommend to the full Senate that the Senate confirm Kimberly Tsumoto Guidry to be an Associate Judge of the Intermediate Court of Appeals.

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<sup>1</sup> I will not be testifying in person.

<sup>2</sup> I submit this testimony as an individual.

**GM-675**

Submitted on: 4/24/2023 2:31:16 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer H. Tran	Individual	Support	Written Testimony Only

Comments:

I support the nomination of Kimberly T. Guidry for Associate Judge for the Intermediate Court of Appeals. Kimberly is an exceedingly experienced appellate litigator with over twenty years of experience working for the Appellate Division of the State of Hawai'i, Department of the Attorney General. I have had the pleasure of working with Kimberly on various appellate court proceedings and found that she is knowledgeable and has a deep understanding of the law and appellate practice. Kimberly is great mentor, leader, and advocate for the State. As Solicitor General, Kimberly exhibits the highest degrees of professionalism, civility, and ability to see the various sides of an issue in her work. Given Kimberly's credentials, she would be a valuable addition as an Associate Judge at the Intermediate Court of Appeals.





April 24, 2023

Senator Karl Rhoads  
Senate Committee on Judiciary

**Re: GM 675 Submitting for consideration and confirmation to the Intermediate Court of Appeals as Associate Judge, Gubernatorial Nominee, KIMBERLY TSUMOTO GUIDRY, for a term to expire in 10 years.**

**Hearing: April 25, 2023, 10:00 a.m.**

Dear Chair Rhoads, Vice Chair Gabbard, and members of the Committee on Judiciary:

Hawaii Women Lawyers (“**HWL**”) respectfully submits testimony in **support** of the nomination of KIMBERLY TSUMOTO GUIDRY to the Intermediate Court of Appeals (“**ICA**”) as Associate Judge for a term of 10 years.

HWL is a nonprofit organization with members including approximately 300 attorneys. HWL’s mission includes improving the status of women in the legal profession, increasing the number of women attorneys in positions of authority and responsibility, and promoting the advancement of all women.

Increasing opportunities for qualified women in the Judiciary is extremely important. As highlighted by the World Justice Project, the rule of law depends on having justice delivered by “competent, ethical, and independent representatives and neutrals who reflect the makeup of the communities they serve. HWL believes that increasing opportunities for, and improving the visibility of, qualified women in the Judiciary is extremely important. The judicial bench should be adequately balanced and reflect the composition of Hawaii’s citizens. Significant strides have been made in the past several years to improve the diversity of our bench, but HWL believes that more can be done to appoint qualified women to fill judicial vacancies to bring balance to the bench.

Noting that the HSBA has found Ms. Guidry to be qualified for the position of Associate Justice for the ICA and for the reasons above, HWL supports the nomination of Ms. Guidry to the ICA.

Thank you for the opportunity to submit testimony in support of this nomination.

**GM-675**

Submitted on: 4/24/2023 7:36:52 PM

Testimony for JDC on 4/25/2023 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Holly Shikada	Individual	Support	Written Testimony Only

Comments:

I submit testimony in strong support for Kimberly Guidry, ICA judicial nominee. My apologies for the late testimony; however, despite it's lateness, I felt compelled to submit testimony in support of Ms. Guidry, as she is an excellent nominee for the ICA judicial appointment.

Ms. Guidry is extremely smart, she works very, very hard, and she has outstanding analytical skills. In addition to these excellent qualities, Ms. Guidry also has the perfect judicial temperament. There is no question to me that Ms. Guidry is more than qualified to be an appellate judge. As the Solicitor General for Hawaii, Ms. Guidry served the Department of the Attorney General and the State very well. For Ms. Guidry to be appointed as an ICA judge will allow her knowledge, skills, and experience to benefit the entire State, including the entire legal bar and the entire citizenry of the State.

I respectfully provide my strong support for Ms. Guidry's confirmation as the ICA judicial nominee.

Thank you,

Holly Shikada