



Rodney A. Maile
ADMINISTRATIVE DIRECTOR

Daylin-Rose Heather
DEPUTY ADMINISTRATIVE DIRECTOR

December 19, 2024

Via electronic submission

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

The Honorable Nadine K. Nakamura
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi and Speaker Nakamura:

Pursuant to Act 159, Session Laws of Hawai'i 1974, and Chapter 37 and Section 601-2, Hawai'i Revised Statutes, the Judiciary is transmitting a copy of the Judiciary's *Multi-Year Program and Financial Plan (2025-2031)*, *Biennium Budget (2025-2027)*, and *Variance Report (2023-2025)*.

In accordance with Section 93-16, Hawai'i Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: https://www.courts.state.hi.us/news_and_reports/reports/reports.

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Affairs and Special Projects Division at 808-539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

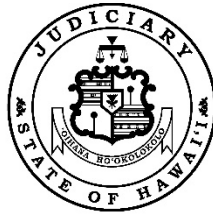
Sincerely,

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

Rodney A. Maile
Administrative Director of the Courts

Attachment

c: Legislative Reference Bureau Library



The Judiciary
State of Hawai'i

**The Multi-Year Program and Financial Plan
(2025–2031)**

**Biennium Budget
(2025–2027)**

and

**Variance Report
(2023–2025)**

Submitted to the Thirty-Third State Legislature

December 2024



To the Thirty-Third State Legislature of Hawai‘i Regular Session of 2025

As Chief Justice of the Hawai‘i Supreme Court and Administrative Head of the Judiciary, it is my pleasure to transmit to the Hawai‘i State Legislature the Judiciary’s FB 2025–2027 Biennium Budget and Variance Report. This document was prepared in accordance with the provisions of Act 159 (SLH 1974), HRS Chapter 37, and HRS Section 601-2.

Hawai‘i courts provide an independent and accessible forum to fairly resolve disputes and administer justice according to the law. Consistent with this principle, the courts seek to make justice available without undue cost, inconvenience, or delay.

The Hawai‘i economy and economic outlook appear stable, regardless of experiencing uncertainty and volatility in recent years through the COVID-19 pandemic and short- and mid-term impacts on tourism and the local economy, an influx of federal funding intended to buoy the State during economic volatility, and the Maui wildfires and resulting economic impact to Maui and statewide due to high demand for construction work.

The Judiciary, for its part, has in recent years continued to expand access to justice in cost-effective ways, continued to leverage technological efficiencies for court operations and those who have matters before the courts, and—among other things—continued to provide more focus in certain areas, such as for women involved in the criminal justice system and more focus to get truant youth back in school. The Judiciary continues to modernize to meet the evolving needs of the State justice system.

This Biennium, the Judiciary is requesting \$6.17M in FY 2026 and \$6.25M in FY 2027, and 16.0 permanent full-time equivalent (FTE) and 1.0 temporary FTE positions. This is an increase of approximately 3% in funding from the Judiciary’s current operating budget.

Requests center around funding to make permanent or expand three specialty courts on O‘ahu, to fully staff the new Wahiawā District Court that will open this biennium, for an additional District Court Judge and support staff in Kona, for cybersecurity and critical technology expenses, for the Criminal Justice Research Institute (CJRI), and to restore selected essential positions—many that have since been redescribed to modern needs—that were defunded during the early part of the COVID-19 pandemic.

As for additional positions, eight of the 17 (16.0 permanent and 1.0 temporary) are requested to continue *current* staffing. This is because seven temporary positions for the Women’s Court Pilot Project and one temporary position for the CJRI will expire, but there are compelling reasons to continue these programs and the necessary staffing. The remaining positions requested will provide an outsized impact to expand capacity or enhance services for parts of Judiciary operations. The Judiciary actively redescribes positions to modern needs. Many of the positions for which the Judiciary is seeking restored funding have been redescribed to a modern need. One example is a request to fund four IT positions defunded during the pandemic that have since been redescribed to create a unit focused on cybersecurity. Restoration of funding for other positions, such as a judicial assistant, district court clerks, or an IT technician remain as important today as they have been over the years.

Capital Improvement Project (CIP) requirements continue to remain a major item of concern as the Judiciary's infrastructure continues to age and deteriorate, and as the population served and services provided by the Judiciary continue to expand. We request CIP bond funds totaling \$9.9 million for FY 2026 to address critical needs, some of which relate to the health and safety of Judiciary employees and the public. Specifically, the Judiciary is requesting \$4.0 million to design a new South Kohala District Court. The current South Kohala District Court carries significant concerns for safety, space, temperature and noise, and is inadequate to serve the community's court-related needs. The Judiciary also requests \$900k to replace an A/C chiller on Kaua'i, at Pu'uhoonua Kaulike. This chiller is near the end of its lifecycle, and A/C manufacturing is experiencing hardships resulting in long lead times. The Judiciary also requests \$5.0 million in lump sum funds to address continuing and emerging building issues.

The Judiciary recognizes that there are many competing initiatives and difficult choices to be made regarding limited available general fund and general obligation bond fund resources. We believe that our approach to our biennium budget request reflects consideration of these concerns and provide necessary court and legal services to the public.

I know that the Legislature shares the Judiciary's commitment to preserving a fair and effective judicial system for Hawai'i. On behalf of the Judiciary, I extend my heartfelt appreciation for your continued support and consideration.

Sincerely,

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

MARK E. RECKTENWALD
Chief Justice

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PART I



Introduction

INTRODUCTION

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.

Judiciary Programs

The major program categories of the Judiciary are court operations and support services. Programs in the court operations category serve to safeguard the rights and interests of persons by assuring an equitable and expeditious judicial process. Programs in the support services category enhance the effectiveness and efficiency of the judicial system by providing the various courts with administrative services such as fiscal control and direction of operations and personnel.

The following is a display of the program structure of the Judiciary:

Program Structure Number	Program Level I II III	Program I.D.
01	The Judicial System	
01 01	Court Operations	
01 01 01	Courts of Appeal	JUD 101
01 01 02	First Circuit	JUD 310
01 01 03	Second Circuit	JUD 320
01 01 04	Third Circuit	JUD 330
01 01 05	Fifth Circuit	JUD 350
01 02	Support Services	
01 02 01	Judicial Selection Commission	JUD 501
01 02 02	Administration	JUD 601

Contents of Document

The MULTI-YEAR PROGRAM AND FINANCIAL PLAN presents the objectives of the Judiciary programs, describes the programs recommended to implement the objectives, and shows the fiscal implications of the recommended programs for the next six fiscal years. The BIENNIUM BUDGET displays for each program the recommended expenditures for the ensuing fiscal biennium by cost category, cost element, and means of financing (MOF). The VARIANCE REPORT reports on program performance for the last completed fiscal year and the fiscal year in progress.

Operating Program Summaries

The summaries in this section present data at the total judicial system level and at the court operations and support services levels.

Operating Program Plan Details

The Financial Plan and Budget is presented by major program areas. Each program area includes a financial summary, followed by descriptions of the program objectives, activities, policies, relationships, and types of revenues collected; major external trends; and various other information and data about the program.

Capital Improvements Appropriations and Details

This section provides capital improvements cost information by project, cost element, and MOF over the 6-year planning period.

Variance Report

This section provides information on the estimated and actual expenditures, positions, measures of effectiveness, and program size indicators for major program areas within the Judiciary.

The Budget

The recommended levels of operating expenditures and staffing for FYs 2025-26 and 2026-27 by major programs are as follows:

Operating Expenditures (In \$ Thousands)

Major Program	MOF	2025-26	2026-27	Total
Courts of Appeal	A	9,593	9,657	19,250
First Circuit	A	98,131	98,299	196,430
	B	4,261	4,261	8,522
Second Circuit	A	20,150	20,150	40,300
Third Circuit	A	24,912	24,903	49,815
Fifth Circuit	A	9,225	9,225	18,450
Judicial Selection Commission	A	114	114	228
Administration	A	41,194	41,043	82,237
	B	8,241	8,241	16,482
	W	<u>343</u>	<u>343</u>	<u>686</u>
Total	A	203,319	203,391	406,710
	B	12,502	12,502	25,004
	W	<u>343</u>	<u>343</u>	<u>686</u>

Revenues

The projected revenues (all sources) for FYs 2025-26 and 2026-27 by major programs are as follows:

Revenues			
(In \$ Thousands)			
Major Program	2025-26	2026-27	Total
Courts of Appeal	57	57	114
First Circuit	27,300	27,300	54,600
Second Circuit	2,391	2,391	4,782
Third Circuit	4,212	4,212	8,424
Fifth Circuit	1,198	1,198	2,396
Administration	<u>126</u>	<u>126</u>	<u>252</u>
Total	<u>35,284</u>	<u>35,284</u>	<u>70,568</u>

Cost Categories, Cost Elements, and MOF

“**Cost categories**” identifies the major types of costs and includes operating and capital investment.

“**Cost elements**” identifies the major subdivisions of a cost category. The category “operating” includes personal services, other current expenses, and equipment. The category “capital investment” includes plans, land acquisition, design, construction, and equipment.

“**MOF**” identifies the various sources from which funds are made available and includes general funds (A), federal funds (N), special funds (B), revolving funds (W), and general obligation bond funds (C).

PART II



Operating Program Summaries

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
THE JUDICIAL SYSTEM

PROGRAM STRUCTURE LEVEL NO. I

PROGRAM STRUCTURE NO. 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II		
Level III		

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Data provided at Level III

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	124,783,383	173,715,898	146,088,013	146,062,189	145,857	145,857	145,857	145,857
Other Current Expenses	65,484,145	67,764,965	68,968,116	69,231,916	69,360	69,360	69,360	69,360
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	1,802,541	555,683	1,108,633	943,248	515	515	515	515
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	192,070,069	242,036,546	216,164,762	216,237,353	215,731	215,731	215,731	215,731
Capital & Investment Costs	20,955,000	17,000,000	9,900,000	0	0	0	0	0
Total Program Expenditures	213,025,069	259,036,546	226,064,762	216,237,353	215,731	215,731	215,731	215,731

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	1,974.50 *	1,978.50 *	1,995.50 *	1,995.50 *	1,995.50 *	1,995.50 *	1,995.50 *	1,995.50 *
	84.02 #	82.02 #	76.02 #	76.02 #	76.02 #	76.02 #	76.02 #	76.02 #
General Funds	183,748,170	229,190,793	203,319,009	203,391,600	202,886	202,886	202,886	202,886
	36.00 *	36.00 *	36.00 *	36.00 *	36.00 *	36.00 *	36.00 *	36.00 *
	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #
Special Funds	8,307,753	12,502,492	12,502,492	12,502,492	12,502	12,502	12,502	12,502
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	11,642	343,261	343,261	343,261	343	343	343	343
G.O. Bond Funds	20,955,000	17,000,000	9,900,000	0	0	0	0	0
	2,010.50 *	2,014.50 *	2,031.50 *	2,031.50 *	2,031.50 *	2,031.50 *	2,031.50 *	2,031.50 *
	93.02 #	91.02 #	85.02 #	85.02 #	85.02 #	85.02 #	85.02 #	85.02 #
Total Financing	213,022,565	259,036,546	226,064,762	216,237,353	215,731	215,731	215,731	215,731

*Permanent Position FTE

#Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
COURT OPERATIONS

PROGRAM STRUCTURE LEVEL NO. II

PROGRAM STRUCTURE NO. 01 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III		

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Data provided at Level III

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	107,536,209	123,931,362	126,142,506	126,116,682	125,912	125,912	125,912	125,912
Other Current Expenses	44,667,411	39,445,322	40,106,691	40,370,491	40,354	40,354	40,354	40,354
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	641,294	40,000	23,255	8,760	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	152,844,914	163,416,684	166,272,452	166,495,933	166,265	166,265	166,265	166,265
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	152,844,914	163,416,684	166,272,452	166,495,933	166,265	166,265	166,265	166,265

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	1,745.00 *	1,746.00 *	1,760.00 *	1,760.00 *	1,760.00 *	1,760.00 *	1,760.00 *	1,760.00 *
	75.54 #	74.54 #	67.54 #	67.54 #	67.54 #	67.54 #	67.54 #	67.54 #
General Funds	150,463,232	159,155,411	162,011,179	162,234,660	162,004	162,004	162,004	162,004
	35.00 *	35.00 *	35.00 *	35.00 *	35.00 *	35.00 *	35.00 *	35.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	2,381,682	4,261,273	4,261,273	4,261,273	4,261	4,261	4,261	4,261
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	1,780.00 *	1,781.00 *	1,795.00 *	1,795.00 *	1,795.00 *	1,795.00 *	1,795.00 *	1,795.00 *
	75.54 #	74.54 #	67.54 #	67.54 #	67.54 #	67.54 #	67.54 #	67.54 #
Total Financing	152,844,914	163,416,684	166,272,452	166,495,933	166,265	166,265	166,265	166,265

*Permanent Position FTE

#Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
SUPPORT SERVICES

PROGRAM STRUCTURE LEVEL NO. II

PROGRAM STRUCTURE NO. 01 02

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	02	Support Services
Level III		

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Data provided at Level III

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	17,247,174	49,784,536	19,945,507	19,945,507	19,945	19,945	19,945	19,945
Other Current Expenses	20,816,734	28,319,643	28,861,425	28,861,425	29,006	29,006	29,006	29,006
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	1,161,247	515,683	1,085,378	934,488	515	515	515	515
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	39,225,155	78,619,862	49,892,310	49,741,420	49,466	49,466	49,466	49,466
Capital & Investment Costs	20,955,000	17,000,000	9,900,000	0	0	0	0	0
Total Program Expenditures	60,180,155	95,619,862	59,792,310	49,741,420	49,466	49,466	49,466	49,466

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	229.50 *	232.50 *	235.50 *	235.50 *	235.50 *	235.50 *	235.50 *	235.50 *
	8.48 #	7.48 #	8.48 #	8.48 #	8.48 #	8.48 #	8.48 #	8.48 #
General Funds	33,284,938	70,035,382	41,307,830	41,156,940	40,882	40,882	40,882	40,882
	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *
	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #
Special Funds	5,926,071	8,241,219	8,241,219	8,241,219	8,241	8,241	8,241	8,241
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	11,642	343,261	343,261	343,261	343	343	343	343
G.O. Bond Funds	20,955,000	17,000,000	9,900,000	0	0	0	0	0
	230.50 *	233.50 *	236.50 *	236.50 *	236.50 *	236.50 *	236.50 *	236.50 *
	17.48 #	16.48 #	17.48 #	17.48 #	17.48 #	17.48 #	17.48 #	17.48 #
Total Financing	60,177,651	95,619,862	59,792,310	49,741,420	49,466	49,466	49,466	49,466

*Permanent Position FTE

#Temporary Position FTE

PART III



Operating Program Plan Details

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
COURTS OF APPEAL

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	01	Courts of Appeal

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	7,582,234	8,614,417	8,769,853	8,769,853	8,770	8,770	8,770	8,770
Other Current Expenses	733,100	353,246	822,806	887,240	887	887	887	887
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	70,163	40,000	0	0	0	0	0	0
Motor Vehicles	...	0	0	0	0	0	0	0
Total Operation Costs	8,385,517	9,007,663	9,592,659	9,657,093	9,657	9,657	9,657	9,657
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	8,385,517	9,007,663	9,592,659	9,657,093	9,657	9,657	9,657	9,657

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
		82.00 *	84.00 *	85.00 *	85.00 *	85.00 *	85.00 *	85.00 *
	1.48 #	0.48 #	0.48 #	0.48 #	0.48 #	0.48 #	0.48 #	0.48 #
General Funds	8,385,517	9,007,663	9,592,659	9,657,093	9,657	9,657	9,657	9,657
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	82.00 *	84.00 *	85.00 *	85.00 *	85.00 *	85.00 *	85.00 *	85.00 *
	1.48 #	0.48 #	0.48 #	0.48 #	0.48 #	0.48 #	0.48 #	0.48 #
Total Financing	8,385,517	9,007,663	9,592,659	9,657,093	9,657	9,657	9,657	9,657

*Permanent Position FTE
#Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
COURTS OF APPEAL

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 01

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimate	Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual	Estimate	Budget Period			Estimate		
		2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
A01	Criminal Appeals Filed	145	154	144	134	141	140	139	140
A02	Civil Appeals Filed	429	415	419	420	419	419	419	419
A03	Original Proceedings Filed	90	100	100	98	99	99	99	99
A05	Motions Filed	2,448	1,940	1,833	1,702	1,789	1,772	1,763	1,771

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (In thousands of dollars)

Fund to Which Deposited	Actual	Estimate	Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
General Fund	63	57	57	57	57	57	57	57
Special Fund	0	0	0	0	0	0	0	0
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	63	57	57	57	57	57	57	57

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (In thousands of dollars)

Type of Revenue	Actual	Estimate	Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Revenues from Use of Money and Property	0	0	0	0	0	0	0	0
Revenues from Other Agencies	0	0	0	0	0	0	0	0
Charges for Current Services	63	57	57	57	57	57	57	57
Fines, Restitutions, Forfeits & Penalties	0	0	0	0	0	0	0	0
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	63	57	57	57	57	57	57	57

JUD 101 COURTS OF APPEAL PROGRAM INFORMATION AND BUDGET REQUESTS

Supreme Court

The mission of the Supreme Court is to provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; to license and discipline attorneys; to discipline judges; and to make rules of practice and procedure for all Hawai'i courts.

Intermediate Court of Appeals (ICA)

The mission of the ICA is to provide timely disposition of appeals from trial courts and state agencies, including the resolution of the particular dispute and explication of the law for the benefit of the litigants, the bar, and the public.

A. PROGRAM OBJECTIVES

Supreme Court

- To hear and determine appeals and original proceedings that are properly brought before the court, including cases heard upon:
 - applications for writs of certiorari
 - transfer from the ICA
 - 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 directed to judges and other public officers
 - applications for other extraordinary writs
 - complaints regarding elections;
- To make rules of practice and procedure for all state courts;
- To license, regulate, and discipline attorneys; and
- To discipline judges.

ICA

- To promptly hear and determine all appeals from the Circuit, Family, and District Courts and from any agency where appeals are allowed by law; and
- To entertain, at its discretion, any case submitted without suit when there is a question of law that could be the subject of a civil action or proceeding in the Circuit Court or Tax Appeal Court, and the parties agree to the facts upon which the controversy depends.

B. PROGRAM ACTIVITIES

Supreme Court

The Supreme Court is the State of Hawai'i's court of last resort, and hears appeals on transfer from the ICA or on writs of certiorari to the ICA. The Supreme Court licenses and disciplines attorneys, disciplines judges, and exercises ultimate rule-making power for all courts in the State. The Supreme Court is empowered to issue all writs necessary and proper to carry out its functions.

The Criminal Justice Research Institute CJRI is establishing a "centralized statewide criminal pretrial justice data reporting and collection system" (HRS § 614-3). CJRI will use this system to track and monitor performance indicators of the criminal pretrial system.

ICA

The ICA reviews, in the first instance, appeals from trial courts and from some agencies. The ICA is also authorized to entertain cases submitted without suit when there is a question of law that could be the subject of a civil suit in the Circuit Court or the Tax Appeal Court, and the parties agree upon the facts upon which the controversy depends.

C. KEY POLICIES

In the Supreme Court, priority is given to election contests, applications for certiorari involving direct appeals from incarcerated defendants, and applications for writs of certiorari involving the termination of parental rights.

In the ICA, direct appeals from incarcerated defendants and appeals from terminations of parental rights (in which children are awaiting a permanent placement) are accorded priority over other appeals.

D. IMPORTANT PROGRAM RELATIONSHIPS

Appeals are filed in the ICA, but (1) before disposition, may be transferred to the Supreme Court, or (2) after disposition, may be reviewed by the Supreme Court upon an application for a writ of certiorari.

The Supreme Court exercises supervisory authority over all state courts by reviewing cases in the appellate process, entertaining applications for writs directed to judges, and establishing uniform rules of practice and procedure.

E. MAJOR EXTERNAL TRENDS

Factors contributing to the number of appellate filings include:

- changes in population;
- availability and cost of alternative dispute resolution methods;
- perceptions of timeliness;
- perceptions of fairness in law and procedure;
- issues involving access to the courts; and
- complexity of law.

F. COSTS, EFFECTIVENESS, AND PROGRAM SIZE DATA

The Courts of Appeal have operated within the funding level appropriated.

Appeal filings directly affect the workload of the Courts of Appeal.

The Courts of Appeal's goal for Fiscal Biennium 2025-27 is to timely adjudicate the caseload to the degree possible within the available resources.

G. PROGRAM REVENUES

Revenues include filing fees, certification fees, and bar application fees. All revenues are deposited into the state general fund with the exception of amounts collected for deposit into the Computer System Special Fund, Indigent Legal Assistance Special Fund, and the Supreme Court Board of Examiner Trust Fund.

H. DESCRIPTION OF BUDGET REQUESTS

Restore Funding for a Judicial Assistant II: The Intermediate Court of Appeals (ICA) requests \$72,372 for FY 2026 and FY 2027 to restore funding for a defunded Judicial Assistant II position.

Continue Criminal Justice Research Institute (CJRI) Funding for a Permanent Position and Software: The Judiciary is requesting \$512,624 in FY 2026 and \$577,058 in FY 2027 to continue to develop a pretrial research database.

I. REASONS FOR BUDGET REQUESTS

Restore Funding for a Judicial Assistant II for ICA: The Judiciary is requesting \$72,372 for FY 2026 and FY 2027 to restore funding for a Judicial Assistant II position within the ICA that was defunded in 2020 due to the COVID-19 pandemic.

There are positions for six Associate Judges in the ICA and one Chief Judge. Each judge has a single Judicial Assistant II who provides critical support to the judge and the court.

The position is imperative to the operations of the ICA. The Judicial Assistant position furthers the ICA's mission to timely resolve the appeals that come before it. ICA Judicial Assistants do more than process court documents. They work on the Judiciary Information Management System (JIMS) and ICA internal database; assist with hiring and personnel matters; assist in compiling reports and statistics; assist in training of law clerks and staff attorneys; provide coverage as needed for other judicial assistants and appellate clerks; assist with screening of cases for conflicts of interest; and undertake numerous housekeeping and institutional tasks that maintain the high standard of conduct and spirit of aloha that is the hallmark of the ICA.

The Judicial Assistant position serves as a critical part of the ICA team. Funding for this position was removed during the unfortunate timing of a judicial vacancy that coincided with the onset of the COVID-19 pandemic.

Continue CJRI Funding for a Permanent Position and Software: The Judiciary is requesting \$512,624 in FY 2026 and \$577,058 in FY 2027 to fund a permanent Project Specialist position and to provide software which would enable CJRI to continue to develop a pretrial research database, as directed by statute.

The CJRI was established by Act 179 in 2019, to collect, aggregate, and report on criminal pretrial data, including establishing a centralized statewide criminal pretrial justice data reporting and collection system.

In 2023, via Act 147, the Legislature determined it was essential that the CJRI continue its partnership with the other State departments to calculate and report on criminal pretrial performance metrics. Funds for a permanent Project Specialist and software/technology costs were appropriated for two years to establish a centralized statewide criminal pretrial justice data reporting and collection system.

After nearly two years of work, CJRI has developed the foundation, including continuing to create a data warehouse and software tool that will modernize data sharing and create a centralized source of pretrial data. CJRI has obtained 15 years of pretrial data from the Department of Law Enforcement, the Department of Attorney General, and the Judiciary, and has partnered with these agencies to begin mapping data to draft data pipelines. Staff have been trained with software to be used to ingest data into the data warehouse and established preliminary datasets for pretrial research.

To build upon this firm foundation, continue work to establish a centralized statewide criminal pretrial justice data reporting and collection system, and continue to assess data and be available to inform policymakers, CJRI requires additional funding. By storing data from three agencies into one centralized source, CJRI can conduct the analysis mandated by the Legislature. The software would streamline the collection of data statewide and would link and merge it into one data warehouse, enabling pretrial metrics to be reported more efficiently and accurately. This technology alleviates the task of CJRI being consumed with manual processes such as receiving emailed spreadsheets and flash drives/CDs from offices, looking up cases in the Judiciary Information Management System (JIMS) then entering it into a spreadsheet. Such manual intensive tasks would essentially preclude CJRI from its objective of analyzing and conducting research.

The Project Specialist position was created to support the new system with an IT expertise. The position is permanent, however, funding ends on June 30, 2025.

**JUD 310 FIRST CIRCUIT, JUD 320 SECOND CIRCUIT,
JUD 330 THIRD CIRCUIT, AND JUD 350 FIFTH CIRCUIT
PROGRAM INFORMATION**

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

A. PROGRAM OBJECTIVES

- To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitutions of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interests of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
- To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
- To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
- To provide for the fair and prompt resolution of all civil and criminal proceedings and traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
- To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
- To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.
- To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior and thereby promote public safety.
- To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.

- To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
- To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Courts so as to maintain the integrity of the judicial process.
- To supervise law violators who are placed on probation by the Family Courts and assist them toward socially acceptable behavior, thereby promoting public safety.
- To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
- To complement the strictly adjudicatory function of the Family Courts by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
- To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from collisions due to unsafe driving decisions and behavior.
- To develop a statewide drug court treatment and supervision model for non-violent adults and juveniles, adapted to meet the needs and resources of the individual jurisdictions they serve.
- To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors, and other community members, embodying the principles of restorative justice.

Land Court/Tax Appeal Court

- To provide for an effective, equitable, and expeditious system for the adjudication and registration of title to land and easements and rights to land within the State.
- To assure an effective, efficient, and expeditious adjudication of all appeals between the tax assessor and the taxpayer with respect to all matters of taxation committed to its jurisdiction.
- To provide a guaranteed and absolute register of land titles which simplifies for landowners the method for conveying registered land.

B. PROGRAM ACTIVITIES

The Circuit Courts are trial courts of general jurisdiction. Circuit Courts have jurisdiction in most felony cases, and concurrent jurisdiction with the Family Courts for certain felonies related to domestic abuse, such as violations of temporary restraining orders involving family and household members. Circuit Courts have exclusive jurisdiction in probate, trust, and conservatorship (formerly “guardian of the property”) proceedings, and concurrent jurisdiction with the Family Courts over adult guardianship (formerly “guardian of the person”) proceedings. Circuit Courts have exclusive jurisdiction in civil cases involving amounts greater than \$40,000, and concurrent jurisdiction with District Courts in civil cases involving amounts between \$10,000 and \$40,000. Jury trials are conducted exclusively by Circuit Court judges. A party to a civil case triable by jury may demand a jury trial where the amount in controversy exceeds \$5,000. Circuit Courts have exclusive jurisdiction in mechanics lien cases and foreclosure cases, and jurisdiction as provided by law in appeals from other agencies (such as unemployment compensation appeals). Appeals from decisions of the Circuit Courts are made directly to the ICA, subject to transfer to or review by the Supreme Court. As courts of record, the Circuit Courts are responsible for the filing, docketing, and maintenance of court records. During the course of a case, numerous documents may be filed. Thus, document filing is an ongoing activity. In addition to the Legal Documents Branch, the Court Reporters’, Jury Pool, and Cashier’s Offices provide services critical to effective court operations.

The Chief Clerks of the Circuit Courts, with the assistance of Small Estates and Guardianship Program staff, serve as personal representatives in small estates cases and as conservators in small conservatorship cases.

Circuit Court judges refer criminal offenders to the Adult Client Services (probation) staff for presentence diagnostic evaluations. Offenders sentenced to some form of supervision are supervised by probation officers of the Adult Client Services Branch.

The Land Court and Tax Appeal Court are specialized statewide courts of record based in Honolulu. The Land Court hears and determines questions arising from applications for registration of title to fee simple land within the State, registers title to property, and determines disputes concerning land court property. The Tax Appeal Court resolves tax appeals and exercises jurisdiction in disputes between the tax assessor and taxpayer. Land Court and Tax Appeal Court matters are assigned to the appropriate judge or judges of the First Circuit Court. The Office of the Land Court and Tax Appeal Court maintains custody and control over papers and documents filed with the Land Court and Tax Appeal Court.

Circuit Court programs include alternatives to traditional dispute resolution methods. The Drug Court Programs aim to divert defendants from the traditional criminal justice path and incarceration, placing them in treatment programs under judicial supervision, rewarding good behavior, and imposing immediate sanctions for relapse into drug use. The Circuit Court’s Court Annexed Arbitration Program is designed to reduce the cost and delay of protracted civil litigation, requiring tort actions with a probable jury award value under \$150,000 to be submitted to the program and be subject to a determination of arbitrability and to arbitration under program rules.

The Family Courts, divisions of the Circuit Courts, are specialized courts of record designed to deal with family conflict and juvenile offenders. The Family Court complements its strictly adjudicatory functions by providing a number of counseling, guidance, detention, mediation, education, and supervisory programs for children and adults.

The Family Courts retain jurisdiction over children who, while under the age of 18, violate any law or ordinance, are neglected or abandoned, are beyond the control of their parents or other custodians, live in an environment injurious to their welfare, or behave in a manner injurious to their own or others' welfare. Activities are geared toward facilitating the determination of the court for appropriate and timely dispositions; preparing cases for detention, and for adjudicatory and dispositional hearings; conducting risks needs assessments and psychological evaluations; and supervising and treating juveniles under legal status with the court. Family Court activities also include providing Court Appointed Special Advocates.

The Family Court's jurisdiction also encompasses adults involved in offenses against other family members and household members; dissolution of marriages; disputed child custody and visitation issues; resolution of paternity issues; adoptions; and adults who are incapacitated and/or are in need of protection. The Family Courts provide services which include temporary restraining orders for protection; treatment of parties involved in domestic violence; supervision and monitoring of defendants in domestic abuse cases; and education programs for separating parents and children.

The District Courts, in civil matters, exercise jurisdiction where the amount in controversy does not exceed \$40,000. If the amount in controversy exceeds \$5,000, the parties may demand a jury trial, in which case the matter is committed to the Circuit Courts. The District Courts also have exclusive jurisdiction in all landlord-tenant cases and all small claims actions (suits in which the amount in controversy does not exceed \$5,000).

The civil divisions of the District Courts also handle temporary restraining orders and injunctions against harassment for non-household members.

In traffic matters, the District Courts exercise jurisdiction over civil infractions and criminal traffic violations of the Hawai'i Revised Statutes, county ordinances, and the rules and regulations of state and county regulatory agencies. Certain traffic matters, known as "decriminalized" traffic offenses, are handled on a civil standard within the traffic division. Those traffic matters which are not "decriminalized" are handled on a criminal standard.

In criminal matters, the jurisdiction of the District Courts is limited to petty misdemeanors, misdemeanors, traffic offenses, and cases filed for violations of county ordinances and the rules of the State's regulatory agencies. In felony cases where an arrest has been made, the District Courts are required to hold a preliminary hearing, unless such hearing is waived by the accused. All trials are conducted by judges. However, in criminal misdemeanor cases, the defendant may demand a jury trial, in which case the matter is committed to the Circuit Court for trial.

In the District Court of the First Circuit, the Community Service Sentencing Program provides placement and monitoring services for offenders sentenced to perform community work by the District, Circuit, Family, and Federal Courts.

The Driver Education and Training Program refers traffic offenders to substance abuse programs, administers traffic safety educational courses, and monitors offenders' compliance of court and Administrative Drivers' License Revocation requirements for the counties of O'ahu, Maui, Hawai'i, and Kaua'i.

C. KEY POLICIES

The overall policy is to evaluate each case on an individual basis to ensure that an individual's constitutional rights are not violated. This includes directing continued emphasis on processing of criminal cases to assure that defendants are afforded the right to speedy trials.

Policies guiding the Circuit Courts are designed to ensure the efficient and effective operation of the court system and to adjudicate cases in a timely, fair, and impartial manner.

Policies guiding the Family Courts are designed to maintain and improve the expeditious, efficient, and equitable processing of all matters brought before the court.

Policies guiding the District Courts are designed to coordinate and evenly apply practices, procedures, and statutory interpretations.

D. IMPORTANT PROGRAM RELATIONSHIPS

Circuit Court decisions, when appealed, are referred to the ICA. Services rendered to the Family Courts include handling of support payments and filings, and processing of case documents in divorce actions, adoption, guardianship, and paternity cases.

The Family Courts utilize a number of community agencies that offer programs for positive behavioral change, emotional growth, and victim support. The Family Courts also coordinate related services provided by state agencies such as the Departments of Human Services, Education, and Health, and are in turn affected by changes in their procedures. The majority of children and domestic violence referrals originate with the police; consequently, there is a relationship between the number of police officers, the police policy regarding arrest or discharge of suspected offenders, and the number of Family Court referrals received.

The District Courts have operations that necessitate the Courts' interacting with various non-Judiciary departments. The Courts necessarily work with and are affected by the Department of Public Safety (both in the Sheriff's Division and Corrections), the various county police departments, the Offices of the Prosecuting Attorneys and Public Defenders, the Department of Motor Vehicles and Licensing, the Department of the Attorney General, the Department of Transportation, the Department of Land and Natural Resources, the Department of Agriculture, the Hawaiian Humane Society, and others.

Internally, the District Courts have administrative and/or adjudicative relationships with the Division of Driver Education, Community Service Sentencing Program, Traffic Violations Bureau, Administrative Drivers' License Revocation Office, and others.

On an inter-court basis, the District Court has concurrent jurisdiction with the Family Court for juvenile traffic matters, holds felony preliminary hearings, processes referrals for criminal/civil jury demand cases, and also works on various processes on a daily basis with the Circuit Courts. Further, the Chief Justice may assign District Court judges on a temporary basis to the Circuit and Family Courts when the need arises.

E. MAJOR EXTERNAL TRENDS

Accessibility to the courts and timely processing of cases within the courts are affected by the interaction of a complex set of variables. Among these are demographic factors, economic conditions, size of the local bar, alternative dispute resolution trends, crime rates, law enforcement, and legislation. Specific factors include violent crime and drug-related case filings along with new federal laws, initiatives, and grant funds focusing on these issues.

The increase in public awareness and attention to domestic violence has prompted the police departments, and the Offices of the Prosecuting Attorneys and Public Defenders, to follow procedures which would bring all persons charged to court promptly. This continues to affect the number of cases being handled by the Family Courts.

Family violence and child abuse and neglect issues are being addressed by both community agencies and the Legislature. Police departments, the Office of the Public Defender, and the Department of the Attorney General cooperate in the prosecution of family violence offenders. This also affects the number of cases handled by the Courts.

Increases in the number of police officers or changes in their assignment or emphasis affect the workload of various divisions.

Legislative changes (creating new criminal, traffic, or civil causes of action; expanding the jurisdiction of the courts; or changing the penalty for existing offenses) can also affect the courts' workload.

Homelessness, drugs, mental health issues, and women offenders are all major items of concern for legislators, and State and local government officials. Initiatives and programs to address these concerns also affect court workload.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

The Judiciary's ability to provide court services to our citizens is directly affected by the level of appropriations authorized by the Legislature. Nevertheless in light of this, the Judiciary's goal for the upcoming biennium remains to continue to provide necessary services in an effective and expedient manner while operating within the limit of available

resources, and to continue to pursue alternatives that promote efficiency without increasing overall resource requirements. It should be noted that due to the dedicated work of Circuit, Family, and District Court judges and staff, case disposition rates have remained at a fairly high level regardless of the relatively small increase in non-payroll operating resources. It is hoped that the continuing stability in the economy and the positive economic and revenue growth will foster further growth in funding to the Judiciary.

G. PROGRAM REVENUES

Circuit Court revenues include fines; bail forfeitures; interest earned on deposits; filing fees; surcharges for indigent legal services and for administrative costs associated with civil filings (Computer System Special Fund); and fees to administer small estates, provide probation services, search records, retrieve records from storage, and prepare copies and certified copies of court documents. Except for collections deposited into the Computer System Special Fund and the Indigent Legal Assistance Special Fund, all Circuit Court related revenues are deposited in the state general fund.

Family Court revenues include fines, fees for copies of documents, surcharges, and filing fees. All Family Court related revenues are deposited into the state general fund, with the exception of amounts collected for deposit to the Parent Education Special Fund established by Act 274/97, the Spouse and Child Abuse Special Account established by Act 232/94, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund.

District Court revenues include fines, fees, forfeitures, and penalties. District Court related revenues are deposited into the state general fund, with the exception of amounts collected for deposit into the Driver Education and Training Special Fund, the Computer System Special Fund, and the Indigent Legal Assistance Special Fund.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
FIRST CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 02

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	02	First Circuit

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	67,370,632	78,836,777	80,150,465	80,124,641	80,125	80,125	80,125	80,125
Other Current Expenses	27,562,893	22,035,505	22,227,314	22,426,680	22,427	22,427	22,427	22,427
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	571,111	0	14,360	8,760	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	95,504,636	100,872,282	102,392,139	102,560,081	102,551	102,551	102,551	102,551
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	95,504,636	100,872,282	102,392,139	102,560,081	102,551	102,551	102,551	102,551

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
		1,107.50 *	1,106.50 *	1,115.50 *	1,115.50 *	1,115.50 *	1,115.50 *	1,115.50 *
	64.58 #	64.58 #	57.58 #	57.58 #	57.58 #	57.58 #	57.58 #	57.58 #
General Funds	93,122,954	96,611,009	98,130,866	98,298,808	98,290	98,290	98,290	98,290
	35.00 *	35.00 *	35.00 *	35.00 *	35.00 *	35.00 *	35.00 *	35.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	2,381,682	4,261,273	4,261,273	4,261,273	4,261	4,261	4,261	4,261
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	1,142.50 *	1,141.50 *	1,150.50 *	1,150.50 *	1,150.50 *	1,150.50 *	1,150.50 *	1,150.50 *
	64.58 #	64.58 #	57.58 #	57.58 #	57.58 #	57.58 #	57.58 #	57.58 #
Total Financing	95,504,636	100,872,282	102,392,139	102,560,081	102,551	102,551	102,551	102,551

*Permanent Position FTE

#Temporary Position FTE

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
FIRST CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 02

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimate	Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual	Estimate	Budget Period			Estimate		
		2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	Adoption Filings	278	374	384	398	389	391	392	391
	Paternity Filings	579	470	412	358	397	388	385	388
A01	Civil Actions Filed, Circuit Court	1,678	1,670	1,688	1,681	1,681	1,682	1,682	1,682
A02	Criminal Actions Filed, Circuit Court	1,453	1,582	1,548	1,503	1,532	1,527	1,524	1,527
A03	Marital Actions Filed	2,970	2,683	2,585	2,500	2,562	2,548	2,543	2,548
A04	Traffic - New Filings	229,846	223,876	218,214	212,196	216,337	215,470	215,075	215,446

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (In thousands of dollars)

Fund to Which Deposited	Actual	Estimate	Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
General Fund	19,444	19,460	19,460	19,460	19,460	19,460	19,460	19,460
Special Fund	7,817	7,840	7,840	7,840	7,840	7,840	7,840	7,840
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	27,261	27,300	27,300	27,300	27,300	27,300	27,300	27,300

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (In thousands of dollars)

Type of Revenue	Actual	Estimate	Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Revenues from Use of Money and Property	165	161	161	161	161	161	161	161
Revenues from Other Agencies	1,221	1,224	1,224	1,224	1,224	1,224	1,224	1,224
Charges for Current Services	15,872	15,868	15,868	15,868	15,868	15,868	15,868	15,868
Fines, Restitutions, Forfeits & Penalties	10,003	10,047	10,047	10,047	10,047	10,047	10,047	10,047
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	27,261	27,300	27,300	27,300	27,300	27,300	27,300	27,300

JUD 310 FIRST CIRCUIT BUDGET REQUESTS

A. DESCRIPTION OF BUDGET REQUESTS

Funding and Positions for Permanent Women’s Court: Funding of \$705,416 in FY 2026 and \$705,416 for FY 2027 is requested to fund eight permanent positions. Seven (7) temporary positions for the Women’s Court are set to expire in FY 2025.

Restore Funding for Four District Court Clerks II and 2 Bailiffs II Positions: Funding of \$317,448 in FY 2026 and \$317,448 in FY 2027 is requested to provide support for positions based in Wahiawā and in support of ‘Ewa and Wai‘anae District Courts enhancing the services available at rural courts.

Restore funding for Three Social Workers at the New Wahiawā District Court: Funding of \$192,408 in FY 2026 and \$192,408 in FY 2027 is requested to transition to a full complement of adult client services to the new Wahiawā District Court.

Funding and Position for One Janitor II at the New Wahiawā District Court: Funding of \$27,084 in FY 2026 (six months salary only) and \$54,168 in FY 2027 is requested to establish a full-time janitor at the new Wahiawā District Court.

Funding for Private Security Services: Funding of \$346,209 in FY 2026 and \$486,967 in FY 2027 is requested to provide private security services for interior patrol of the new Wahiawā District Court.

Restore Funding for One IT Tech III Position: Funding of \$52,908 in FY 2026 and \$52,908 in FY 2027 is requested to restore funding for a redescribed IT Tech III to support the new Wahiawā District Court.

Funding for Driving While Impaired (DWI) Court Program: Funding of \$232,412 in FY 2026 and \$237,612 in FY 2027 is requested to restore funding of a redescribed Social Worker IV and Specialty Court Coordinator, and additional expenses to make the DWI Court Program permanent.

Funding to Expand the Truancy Court and Early Education Intervention Program (EEIP): Funding of \$188,388 in FY 2026 and \$183,288 in FY 2027 is requested to fund three redescribed Social Worker positions and additional expenses to significantly expand the Truancy Court and EEIP on O‘ahu.

Restore Funding for One Judicial Clerk III: Funding for \$47,004 in FY 2026 and \$47,004 in FY 2027 is requested to restore funding for one redescribed Judicial Clerk III in the Legal Documents Branch.

Restore Funding for Two Hybrid District Court Clerks IIs and Bailiffs: Funding for \$105,816 in FY 2026 and \$105,816 in FY 2027 is requested to restore funding for two

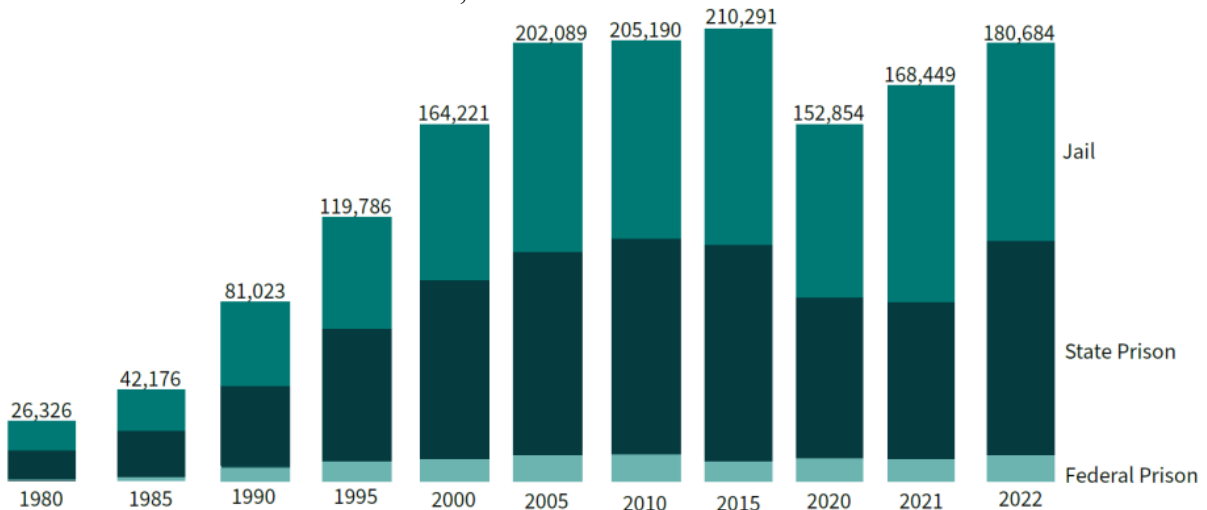
hybrid District Court Clerk IIs and Bailiffs to support in-court processing of documents and completion of witness certifications.

B. REASONS FOR BUDGET REQUESTS

Funding and Positions for Permanent Women’s Court: The Women’s Court pilot project was established by the Legislature in July of 2022 (Act 243/22). The Legislature approved funding for a three-year pilot that included seven temporary positions, set to expire at the end of FY 2025. The requested funding of \$705,416 in FY 2026 and \$705,416 in FY 2027 will establish a permanent Women’s Court Program with eight permanent positions.

By January 2023, the program was operational, and the first participant was petitioned into the Women’s Court. The Women’s Court, also known as Mohala Wahine, was created to address the rapid growth in the incarceration of women in the United States. The national data reflects that the growth for female imprisonment has been twice as high as that of men since 1980. Additionally, between 1980 and 2022, the number of incarcerated women increased by more than 585%. This is an increase from a total of 26,326 in 1980 to 180,684 in 2022. [Source: The Sentencing Project; Fact Sheet: Incarcerated Women and Girls (2024)]

Rise in Women’s Incarceration, 1980-2022



Sources: [Historical Corrections Statistics in the United States 1850-1984 \(1986\)](#); [Prison and Jail Inmates at Midyear Series \(1997-2022\)](#), [Prisoners Series \(1980-2022\)](#). Bureau of Justice Statistics.

The Mohala Wahine program is an alternative to incarceration and provides women in the criminal justice systems who have suffered trauma, abuse, poverty, mental illness, substance use disorders, and/or unhealthy relationships with comprehensive court-supervised treatment, opportunities, and resources. The goal of the program is for the women participants to identify and address their issues to prevent re-entry into criminality and to aid the women participants in bettering their economic conditions and life circumstances.

As of December 2024, the Mohala Wahine program has 33 active participants with 2 women awaiting to petition into the program. The first hō'ike (commencement/graduation) ceremony is anticipated for the summer of 2025 and approximately 5–8 women are on track to participate.

As a result of women in the program spreading the word and encouraging others to apply, there is now a consistent flow of applicants seeking to join the program. By establishing the Mohala Wahine program as a permanent Specialty Court in the Circuit Court of the First Circuit, there will be a strong alternative to incarceration for women in the criminal justice system that will also set up the women for success in the community. Over time, this success will likely lead to a reduction in the number of women being incarcerated and fewer women re-engaging in criminal activity.

Given the need for the program, and a strong start as a three-year pilot created by the Legislature, the program will expire at the end of FY 2025, the Judiciary requests funding for eight new positions (a net increase of one), including one substance abuse counselor.

Restore Funding for Four District Court Clerk II and 2 Bailiff II Positions: In 2020, the Legislature removed funding for vacant positions to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. Six of these positions were four District Court Clerk II positions and two Bailiff II positions. This request is to restore funding for \$317,448 in FY 2026 and \$317,448 in FY 2027 to provide support for positions based in Wahiawā and in support of 'Ewa and Wai'anae District Courts, thereby enhancing the services available at these rural courts. These positions provide courtroom clerical coverage for District Court criminal, civil, and traffic proceedings, and associated court clerical duties to record and facilitate cases throughout the court system.

With the opening of the new Wahiawā District Court, court access to West and Central O'ahu residents will be significantly expanded. First Circuit will transfer any civil filings, Ho'okele, and court hearings that would be in the Honolulu District Court over to the 'Ewa, Wai'anae, and Wahiawā District Courts. Currently all civil case filings for all District Court divisions are processed by the Legal Documents Branch 2 located at the Honolulu District Court. Individuals may submit civil filings at the rural courts, but those filings are processed in the Honolulu District Court. If these can be processed in Wahiawā as the "hub" for that side of the island, the filer can receive their filed copy sooner as well as their court hearing dates.

The following are the stats for new civil case filings for 'Ewa, Wai'anae and Wahiawā:

Year 2023 - total number of new cases created = 5,163

Regular Claims = 4,162

Small Claims = 428

TRO = 573 *cases will be heard in Honolulu

Year 2024 to date - total number of new cases created = 6,433

Regular Claims = 4,955

Small Claims = 886

TRO = 592 *cases will be heard in Honolulu

Currently, District Court Clerks based in Honolulu District Court rotate to the rural courts to support civil calendars. Restoring funding to these positions will help to support civil calendars in the rural courts without having to rotate various District Court Clerks. Thus, a dedicated and permanent location of the District Court Clerks at Wahiawā would facilitate and streamline coverage for the ‘Ewa, Wai‘anae, and Wahiawā District Court civil calendars.

The hybrid District Court Clerk and Court Bailiff positions also become critical in providing the full range of District Court services and coverage for the rural courtrooms, including the ability to expand the courtroom service hours for court proceedings. The ‘Ewa, Wai‘anae, and Wahiawā District Courts could not provide the full range of District Court services and hold court proceedings starting at 8:30AM as they will not have in-house court bailiffs and additional courtroom staff. Conversely, the restored hybrid District Court Clerk and Court Bailiff positions can provide the Wai‘anae District Court with the operational flexibility needed to support traffic, criminal, and eventually civil court proceedings. Restoring the funding for these positions will allow the West and Central O‘ahu court users to expeditiously access and attend District Court business and enable the District Courts to facilitate and adjudicate cases in a more efficient manner.

Restore Funding for Three Social Workers at the New Wahiawā District Court: In 2020, the Legislature removed funding for these vacant positions to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. The Judiciary is requesting funding of \$192,408 in FY 2026 and \$192,408 in FY 2027 to transition to a full complement of adult client services to the new Wahiawā District Court to support case management of probation cases, decrease workload in Honolulu, and work with the Community Outreach Court.

The planned Adult Client Services Branch (ACSB) Wahiawā District Court Unit will play a critical role in bringing court services to the community. Probation services can assist the offender in making changes using risk management, guidance, cognitive behavioral therapy, and treatment. Our intent is to influence offenders to make a prosocial adjustment in the community and to enhance the safety of the public. Restoring funds to social worker positions will provide the community with an array of supportive services. These positions will be directly responsible for conducting drug testing, pre-sentence reports, and probation supervision, Driver Education, and Community Outreach Court intakes and reports.

When the ACSB Wahiawā District Court Unit is operational it will be servicing an estimated 200 to 300 cases based on the current clients that reside in the designated geographic area that the ACSB office in the new Wahiawā District Court will service. Increasing the ACSB staffing of social worker positions will increase the span of coverage and would decrease the workload per social worker which includes clients in Waimea, Mililani, Kunia, Whitmore Village, Waialua, Hale‘iwa, Sunset, and Waimea. Importantly, clients in these areas face challenging transportation and financial hurdles. These challenges prevent clients from meeting with their court order supervision conditions. It is not unusual for clients to miss appointments or not report to the office due to the distance between the rural areas and Honolulu. Consequently, not funding these positions can create increased recidivism and degraded community safety. Bringing ACSB services to the

community will promote accessibility to court locations, court services, and the opportunity to produce behavioral changes in clients' lives. These positions can help to influence offenders to make behavioral adjustments in their community and enhance public safety.

Funding and Position for One Janitor II at the New Wahiawā District Court: This request is to restore funding of \$27,084 in FY 2026 (six months' salary only) and \$54,168 in FY 2027 for one janitor position at the new Wahiawā District Court. In the 2024 Legislative session, the Legislature approved two permanent janitor positions (1-Janitor III and 1-Janitor II) for the new Wahiawā District Court currently expected to open in 2026.

The existing Wahiawā District Courthouse is in a rental space and janitorial services are covered by the lease. The new Wahiawā District Court will be a full-service courthouse (which the current leased space is not) and will need to be staffed with Judiciary employees. To adequately staff the new courthouse, there is a need for a second full-time Janitor II position. The second Janitor II is necessary to support cleaning levels for the types of uses and clientele that are serviced by a full-service courthouse. For instance, the existing facility does not include a probation unit which performs drug testing and will require additional cleaning. This position is requested to provide the level of cleaning required to provide a clean and healthy environment for all who enter and use the facility.

Funding for Private Security Services: The Judiciary requests funding of \$346,209 in FY 2026 and \$486,967 in FY 2027 to provide six contracted security personnel for interior patrol of the new Wahiawā District Court. The new Wahiawā District Courthouse, which is expected to open in Spring 2026, is part of the two-building, 61,000-square-foot Wahiawā Civic Center. The center will include the courthouse, a state office complex, and a City and County of Honolulu Satellite City Hall. The two-story courthouse will be the new home of the Wahiawā Division of the First Circuit, District Court. The Wahiawā Division has jurisdiction over Traffic, Criminal, and Civil Cases. The new courthouse will have two courtrooms and expand its services to include Ho'okele (court information services and civil case processing) and probation services.

The current court building has only one courtroom and eleven full-time staff. When the new court building opens, there will be an anticipated sixteen additional staff for a total of twenty-seven full-time employees. Courthouse security for the current location consists of two unarmed contracted private security personnel and one Deputy Sheriff under the District Court Sheriff Command. The contracted private security personnel are posted at the public entrance of the courthouse from 7:45AM to 4:30PM and are tasked with screening employees and members of the public when entering the courthouse. Court facilities require general security screening for the safety and security of employees and all who enter the facility. Further, court security can help prevent daily incidents that can disrupt the administration of justice such as emotional outbursts, acts of violence, and theft. The mere presence of court security helps to maintain an environment where people who come to court and employees who work at the court feel safe.

To satisfy best practices, the new Wahiawā District Court would either need three Deputies Sheriff assigned to the new Wahiawā District Court, or contracted services will be required

to provide alternative protective services. Funding this request would support this critical safety function.

Restore Funding for One IT Tech III Position: Funding of \$52,908 in FY 2026 and \$52,908 in FY 2027 is requested to restore funding for a redescribed IT Tech III to support the new Wahiawā District Court. In 2020, the Legislature removed funding for vacant positions to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. One of these positions has since been redescribed to an IT Tech III in the Computer Support Section (CSS), which will become necessary and critical operations of the Wahiawā District Court.

The CSS has seven full-time Information Technology Support Technicians (IT Techs) and is led by an Information Technology Specialist. CSS provides user tech support to about 1,000 employees within the First Circuit. CSS installs new PCs, scanners, printers, and other peripherals throughout the circuit. Their service includes providing Tier 1 support for courtroom video recording and video conferencing systems that enable litigants to participate in court hearings remotely. CSS also assists ITSD with web conferencing, server support, networking, and other IT issues within the First Circuit. Similar to the current Wahiawā District Court, the new Wahiawā District Court would be an 18-mile, 30-minute drive from the nearest court (Kapolei) where 2 IT Techs are currently based. These 2 Kapolei-based IT Techs provide support to about 350 employees. The new Wahiawā District Court will feature an additional courtroom, as well as an increased number of First Circuit employees permanently based there. Since the pandemic, the First Circuit has permitted most District Court litigants to opt for remote hearing appearances by Zoom. At some hearings, dozens of litigants are scheduled to appear. A functioning courtroom AV system is therefore critical to the core operations of the court as AV outages and technical issues can result in unplanned continuances and greatly inconvenience litigants who still need to take time off from work to virtually attend court. Unnecessary continuances also create extra work for government and private attorneys, judges, and other parties associated with each case.

Given the increased use of technology for court users, the restoration of funding for this redescribed IT Tech position would provide the front-line support necessary to set up equipment, identify computer and AV related problems, and provide the necessary solutions to support the continued use of innovative court technologies. A dedicated IT Tech III at the new Wahiawā District Court will support court efficiency and accessibility.

Funding for Driving While Impaired (DWI) Court Program: In 2020, the Legislature removed funding for vacant positions to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. The Judiciary has only sought restoration of funds when other options were explored and the use of the position has either been updated to a modern need or confirmed that the same function again needs such staffing. Here, the Judiciary is requesting funding of \$232,412 in FY 2026 and \$237,612 in FY 2027 to restore funding of two positions that have been redescribed to be a Social Worker IV and Specialty Court Coordinator, and additional expenses, to make the DWI Court Program permanent.

The DWI Court Program was established in April 2012 and has been operational since January 2013, with initial federal funding for the program coming from the National Highway Traffic Safety Administration (NHTSA) through a grant administered by the State Department of Transportation. In March 2015, the DWI Court Program received a NHTSA Public Service Award in recognition of the collaborative efforts to reduce traffic fatalities due to alcohol impaired driving by establishing Hawai'i's first DWI Court program. The DWI Court Program confronts the persistent problem of impaired driving in Hawai'i and seeks to reduce recidivism among repeat and high-risk offenders by addressing the underlying cause of impaired driving, which is alcohol and/or substance use disorder. Without intervention, this population of chronic impaired drivers might continue to reoffend, congest court dockets, and endanger public safety on our roadways.

According to the Honolulu Police Department, in 2023, there were 2,386 impaired driving arrests. In 2023, out of a total of 57 fatal collisions, 23% (13 total) resulted from impairment. In the District Court of the First Circuit, a total of 1,070 Operating Vehicle Under the Influence of an Intoxicant (OVUII) cases were filed in 2023. Eight percent (88 total) of those cases were charged as a repeat offense. The DWI Court Program's target population is the high BAC% impaired driver and/or repeat offender who is overrepresented in fatal crashes.

Additionally, research indicates that this particular type of offender is not impacted by ordinary deterrence methods such as public awareness campaigns, or traditional sanctions such as incarceration or larger fines. Instead, the DWI Court Program provides offenders with comprehensive court-supervised treatment opportunities and resources to successfully complete rehabilitation with the goal to reduce individual recidivism rates, reduce societal financial burdens, and protect the community. The DWI Court Program currently has 12 participants and 85 graduates. Securing permanent funding would allow the DWI Court Program to establish itself as a permanent fixture within the District Court of the First Circuit, and allow it to continue, grow, and advance the success of the initial pilot program and provide accountability and monitoring of the treatment and recovery process for these repeat and high-risk offenders.

Since October 2019, the DWI Court Program has received funding from the State Department of Health (DOH), Alcohol and Drug Abuse Division through a memorandum of agreement due to the NHTSA grant no longer providing funding for personnel costs. Over a period of three years from October 1, 2019, to September 30, 2022, the program received \$600,000, and over a period of five years from October 1, 2022, to September 30, 2027, the program could receive funding if the funding is available.

The anticipated results of establishing a DWI Court Program as a permanent fixture in the District Court of the First Circuit is that over time there will be a reduction in recidivism in this population of repeat and high-risk offenders, which would ultimately save taxpayer money, reduce court caseload, and improve public safety on our roadways. The outcomes and findings relating to the DWI Court Program as of August 2024 demonstrate the success that the program has experienced to-date: Since the program launched in 2013, a total of 504 repeat and/or high BAC% offenders have been referred to the DWI Court Program through August 2024. Of these,

- 454 offenders (90.1%) were eligible to apply to enter the program, of those offenders
- 246 offenders (54.2%) were interested in the program, of those offenders
- 132 offenders (53.7%) petitioned to enter the program, of those offenders
- 113 offenders (85.6%) decided to join the DWI Court Program, of those joined
 - 85 offenders graduated
 - 12 offenders are currently enrolled
 - 16 offenders either withdrew or were terminated for non-compliance

The DWI program is requesting funding to establish the two redescribed positions of DWI Court Coordinator and DWI Court Case Manager that currently support the DWI Court Program as permanent positions to maintain the daily operations of the program.

Funding to Expand the Truancy Court and Early Education Intervention Program (EEIP): In 2020, the Legislature removed funding for vacant positions to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. The Judiciary is requesting funding of \$188,388 in FY 2026 and \$183,288 in FY 2027 to restore funding for three redescribed Social Worker positions and additional expenses to significantly expand the Truancy Court and EEIP on O‘ahu.

Truancy Court and EEIP are programs recommended to address the difficulties and problems of emerging and chronic school truancy. These programs fall within the Juvenile Client Services Branch of First Circuit Family Court. Truancy and chronic absenteeism can have a negative impact on more than just grades. Those with a historical pattern of truancy or who have dropped out of school ultimately commit a high volume of all crimes in the United States. A person’s level of education also has a direct impact on their potential employment opportunities and lifetime earnings. Lack of education can also adversely impact people’s health. Those with lower levels of educational attainment may not be able to obtain employment with sufficient health insurance coverage and are forced to pay out-of-pocket to cover medical expenses or go without care. The focus of Truancy Court is diversion from the formal court process. The bulk of the preventative work is done on the front-end to stop truancy petitions from being filed in court by addressing barriers to school attendance. To accomplish this, Persons in Need of Supervision (PINS) Social Workers visit campuses weekly to meet with students identified as having attendance issues. During the 2023/2024 school year, PINS Social Workers met with and monitored 206 students on campuses. Most of those cases were able to avoid the filing of a formal truancy petition.

Truancy Court and EEIP expansion benefit clients and their families, communities, the Department of Education, and Family Court. If funding is restored, Truancy Court and EEIP can be expanded by assisting First Circuit Middle and Elementary Schools to meet the Hawai‘i Department of Education statewide attendance rate goal of 93%. Also, Truancy Court and EEIP currently service 30 schools on the island of O‘ahu. With the expansion, the program could add in total approximately between 15 and 25 new schools.

Setting up youth for success in school prepares them for greater success in the future, such as secondary education, job readiness, improved social skills, and a decreased likelihood of engaging in delinquent or adult criminal behaviors.

Restore Funding for One Judicial Clerk III: In 2020, the Legislature removed funding for vacant positions to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. One of these positions was a Judicial Clerk II, which has since been redescribed to a Judicial Clerk III. This sustained vacancy status has had a significant impact on the Legal Documents Branch. The advent of virtual court proceedings and special projects to increase access to the courts have proven to be beneficial to court users and to the public. To sustain and support these services, the First Circuit would need to increase its staffing capacity.

The Judicial Clerk would be responsible for: (1) hosting and cohosting remote court hearings for two Traffic calendars (arraignment and plea for traffic crime and traffic infraction) from Monday to Friday; (2) hosting and cohosting the remote court hearings for Criminal non-custody arraignment and plea calendar, twice a week; (3) preparing Community Outreach Court (COC) calendars for Honolulu and all Rural Divisions (Wai‘anae, Kāne‘ohe and Wahiawā), generating and printing court calendars for the Judge and Court Clerk; (4) processing court calendars for the District Court custody and non-custody cases, including felony and misdemeanor criminal and traffic cases; (5) processing motions and orders before and after court; (6) handling legal documents for new arrests and bench warrants; (7) reviewing and retrieving all efiled documents for criminal and traffic cases; (8) processing and completing the efiled documents; (9) responding to motions and generating orders; (10) initiating non-custody criminal new cases, (11) processing bench warrants, penal summons, and order, and notice entry of order/judgment; (12) generating and efilings Notice of Remote Hearing to each defendant; (13) handling and mailing Order/Notice Entry of Order/Judgment to defendants; and (14) processing court record requests from the public.

To meet the operational needs, existing staff are spread thin. When staff are needed to cover the areas described above, staff are pulled from other sections, which creates a backlog and increased overtime. Funding the Judicial Clerk III position with \$47,004 in FY 2026 and \$47,004 in FY 2027 would allow caseloads to be processed and completed efficiently and timely while providing quality customer service and reducing the backlog in the Legal Documents Branch.

Restore Funding for Two Hybrid District Court Clerks IIs and Bailiffs: In 2020, the Legislature removed funding for vacant positions to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. The Judiciary is requesting funding for \$105,816 in FY 2026 and \$105,816 in FY 2027 to restore funding for two hybrid District Court Clerk IIs and Bailiffs. These hybrid positions are needed to increase the Honolulu District Court’s capacity to meet in-court needs including Fiscal Administration Manual (FAM) compliance for processing witness certification fees and implementing in-court processing. These two District Court Clerk positions will be redescribed as hybrid District Court Clerks and Bailiffs allowing flexibility in addressing court needs. These positions will be based in Kāne‘ohe and will also serve the Honolulu District Court. Currently, these positions support both the criminal calendars at the Honolulu District Court and the civil calendars at the Honolulu District Court and the Rural Courts (‘Ewa, Kāne‘ohe, Wai‘anae and Wahiawā).

The criminal calendars at the Honolulu District Court are scheduled five days per week in seven courtrooms and the civil calendars are heard in seven (7) civil courtrooms, 2 in Honolulu and 5 in the rural courts. In addition, the Honolulu District Court Clerks are also responsible for the Specialty Court calendars, which include the Community Outreach Court held three times per month at various community locations, as well as the Mental Health Court and Jail Diversion. These specialty calendars/courts continue to evolve and expand.

In-Court Processing

In 2014, the JIMS In-Court Processing (ICP) module was released for use by the District Courts statewide for criminal and traffic calendars. The ICP module requires the attendance of two District Court Clerks in court to provide real-time processing of cases during court proceedings and to better serve the public. Although the Honolulu District Court has been able to utilize the ICP module for Preliminary Hearings, the Honolulu District Court has not been able to fully utilize the ICP module due to the reduced current funded positions. As a result, only one District Court Clerk could be sent for each proceeding to document the official court record. Consequently, the court's minutes and dispositions are not able to be completed while in court, causing delays in updating and processing the court's record that will affect litigants' ability to obtain their case-related court dates and the Judiciary programs' ability to continue the timely facilitation of these cases.

Witness Fee Certifications

The witness fee certification must be completed during the time the witness appears in court. This applies to all witnesses who are summoned, whether they testify or not. In Honolulu District Court, certain calendars, like traffic, may have 80 scheduled cases where each case may have multiple witnesses summoned. Most witnesses are law enforcement officers. Witnesses are summoned not only for trials but also for evidentiary hearings (*e.g.*, preliminary hearings).

The District Court calendars are staffed by 1 court clerk and 1 bailiff. Unlike lighter court calendars, the two staff are not able to prepare the witness fee certification while the calendar is active. Additional staff would be needed to process all witnesses at the start of the calendar (*e.g.*, during check-in). Processing witnesses at the close of the calendar would result in witnesses who were excused at the start of the calendar waiting perhaps more than an hour until the close of the calendar to have their certificate processed. Because most witnesses are law enforcement officers, their time would be spent waiting at the courthouse instead of attending to their law enforcement duties. Per the FAM, witness certificates need to be prepared, signed by the appearing agency summoning witnesses and verified by a Judiciary employee at the time of the court hearing. To satisfy the FAM requirements, additional staff, such as, the hybrid District Court Clerk and Bailiff positions, are required for timely in-court processing of the certification.

The two hybrid District Court Clerk and Bailiff positions are critical to the Honolulu District Court to be able to implement in-court processing and streamline the witness fee

certification process which has benefited the other district courts for the timely updating and maintenance of the court record.

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
SECOND CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 03

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	03	Second Circuit

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	12,080,028	13,651,599	13,802,631	13,802,631	13,803	13,803	13,803	13,803
Other Current Expenses	5,528,116	6,347,499	6,347,499	6,347,499	6,347	6,347	6,347	6,347
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	0	0	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operating Costs	17,608,144	19,999,098	20,150,130	20,150,130	20,150	20,150	20,150	20,150
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	17,608,144	19,999,098	20,150,130	20,150,130	20,150	20,150	20,150	20,150

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	General Funds	17,608,144	19,999,098	20,150,130	20,150,130	20,150	20,150	20,150
Special Funds	0	0	0	0	0	0	0	0
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
Total Financing	17,608,144	19,999,098	20,150,130	20,150,130	20,150	20,150	20,150	20,150

*Permanent Position FTE

#Temporary Position FTE

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
SECOND CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 03

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual		Estimate		Budget Period		Estimate	
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual		Estimate		Budget Period		Estimate	
		2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	Adoption Filings	43	50	51	53	52	52	52	52
	Paternity Filings	143	113	100	86	96	94	93	94
A01	Civil Actions Filed, Circuit Court	816	352	349	345	348	347	347	347
A02	Criminal Actions Filed, Circuit Court	428	599	585	569	580	578	577	578
A03	Marital Actions Filed	439	384	369	357	366	364	363	364
A04	Traffic - New Filings	20,776	25,583	24,936	24,248	24,721	24,622	24,577	24,619

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (In thousands of dollars)

Fund to Which Deposited	Actual		Estimate		Budget Period		Estimate	
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
General Fund	1,843	1,867	1,867	1,867	1,867	1,867	1,867	1,867
Special Fund	515	524	524	524	524	524	524	524
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	2,358	2,391	2,391	2,391	2,391	2,391	2,391	2,391

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (In thousands of dollars)

Type of Revenue	Actual		Estimate		Budget Period		Estimate	
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Revenues from Use of Money and Property	0	0	0	0	0	0	0	0
Revenues from Other Agencies	0	0	0	0	0	0	0	0
Charges for Current Services	1,277	1,295	1,295	1,295	1,295	1,295	1,295	1,295
Fines, Restitutions, Forfeits & Penalties	1,081	1,096	1,096	1,096	1,096	1,096	1,096	1,096
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	2,358	2,391	2,391	2,391	2,391	2,391	2,391	2,391

JUD 320 SECOND CIRCUIT BUDGET REQUESTS

A. DESCRIPTION OF BUDGET REQUESTS

Restore Funding for Two District Court Clerk Positions: The Second Circuit requests \$105,816 for FY 2026 and \$105,816 for FY 2027 to restore funding for a District Court Clerk in Lahaina and a District Court Clerk in Wailuku.

Restore Funding for an Account Clerk Position: The Second Circuit requests \$45,216 in FY 2026 and \$45,216 in FY 2027 to restore funding for an Account Clerk IV position in the Wailuku Fiscal Office.

B. REASON FOR BUDGET REQUESTS

Restore Funding for Positions for Two District Court Clerk Positions:

In response to the defunding of vacant positions during the 2020 legislative session, the Second Circuit court programs made a variety of changes to ensure continued court operations and one of these changes made to ensure continued court operations, is the reallocation of funds to cover the payroll costs of two critical District Clerk positions that had been defunded. One of these two District Court Clerks works in Lahaina District Court, and the other District Court Clerk works in Wailuku District Court.

The District Court Clerk in Lahaina rural court is responsible to author the official court records in arraignment and trial proceedings. They issue disposition slips to the public as they conclude their proceedings, ensure documents are submitted and conformed to statutory and procedural requirements, prepares warrants, orders, pertaining to bail that may result in money being returned, assist the public over the counter and over the telephone. This position is essential in supporting the rural courts courtroom services.

Currently, the Lahaina District Court has three District Court Clerk positions. With one of them defunded, Second Circuit has crafted an approach to deliver services with fewer resources—but this is not sustainable. The current approach includes:

Wailuku District Court staff travel from Wailuku to Lahaina nearly every week so that Lahaina Court proceedings can occur in the past. As of recently, there are times when a Lahaina District Court Clerk would travel to Wailuku District Court to help assist as needed. It truly depends on the caseloads and the workflow demands of each court, especially for rural court.

This is not a long-term solution, however, because the sections losing the transferred positions are now experiencing staffing issues. These temporary transfers are not intended for long-term solutions as they are now experiencing their own workload issues. Lahaina District Court needs consistent and continued support with court operations to better serve the rural communities.

Even with the Second Circuit's efforts, the defunded position is resulting in the following negative impacts:

- Staff prioritize bail and temporary restraining orders and are unable to timely upload important documents for litigants in other matters.
- Similarly, court orders are delayed after hearings due to an insufficient number of clerks in the courtroom.
- There is an increased potential for errors as existing staff are required to take on additional duties on a regular basis.
- The public is waiting longer for copies of court documents to be processed, which delays litigants' ability to move forward with their respective cases.

The Judiciary also requests restored funding for a District Court Clerk in Wailuku District Court. Currently, the District Court Clerk unit in Wailuku has a total of eight District Court Clerk (III levels) positions and one District Court Clerk III, who provides supervision. The unit currently has four filled District Court Clerks, with four vacant positions. The absence of this District Court Clerk position impacts the unit as it remains unfilled and unfunded. The workload of the unit is being carried out by 1/3 of the positions allocated to the unit. As a result, it takes staff longer to return phone calls and respond to messages, processing documents takes longer, and the remaining staff need to be in court more frequently with less time available to prepare for upcoming hearings.

Restoring funding for these positions would allow us to broaden our efforts to recruit. With more positions available we hope to attract and hire more staff. In addition, we would also look at deploying these positions into areas in our operation that may need additional resources.

The requested funding will assist in normalizing staffing levels and improve Second Circuit's overall ability to service the public. Productivity and efficiency will increase when staff are not being temporarily transferred. All District Courts need consistent and continued support with court operations to better serve their communities. Providing them with the resources they need will also benefit all the operational units in Second Circuit and contribute to improved service to all communities across the Second Circuit.

Restore Funding for an Account Clerk Position: The Account Clerk IV position provides critical support services to the Wailuku Fiscal Office and the public. However, due to the defunding of this position at the onset of the COVID-19 pandemic, the Second Circuit's Fiscal Office assumed these responsibilities, thereby diverting focus from the Fiscal Office's primary duties. Continuing in this manner is not sustainable and will significantly impact the Second Circuit Fiscal Office and the public. Therefore, the Judiciary requests \$45,216 in FY 2026 and \$45,216 in FY 2027 to restore funding for an Account Clerk at Wailuku District Court.

Currently there are a total of four Account Clerks positions, with one of the four being a supervisor. Three of the four positions are filled and performing the work of four people; this defunded vacant position is the fourth. Second Circuit Fiscal reassigned responsibilities to avoid serious negative consequences.

The Account Clerk IV is responsible for creating purchase orders and processing invoices. The amount of PO's (Purchase Orders) created has increased steadily since FY21. Each Account Clerk is responsible for a particular appropriation. The amount of PO's created for the defunded position's assigned appropriation is as follows:

FY24 – 2,202 PO's

FY23 – 2,113 PO's

FY22 – 1,880 PO's

FY21 – 1,732 PO's

Without restoration of the requested funding, the Second Circuit Fiscal Office will continue reallocating resources to address immediate needs and thereby prolong operational inefficiencies. Not only may service levels with the public continue to be impacted, but business interactions with vendors could also be affected. Vendors may assess late payment fees or even discontinue services should the Second Circuit be unable to make timely payments.

The restoration of funding for the Account Clerk will allow the professional staff to focus on their core responsibilities and lead to increased efficiency and a higher level of services for their clients and the public.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
THIRD CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 04

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	04	Third Circuit

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	14,692,090	15,422,072	16,013,060	16,013,060	16,013	16,013	16,013	16,013
Other Current Expenses	8,433,885	8,890,149	8,890,149	8,890,149	8,890	8,890	8,890	8,890
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	0	0	8,895	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	23,125,975	24,312,221	24,912,104	24,903,209	24,903	24,903	24,903	24,903
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	23,125,975	24,312,221	24,912,104	24,903,209	24,903	24,903	24,903	24,903

REQUIREMENTS BY MEANS OF FINANCING

	Actual	Estimated	Budget Period		Estimated Expenditures (\$000's)			
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	242.00 *	242.00 *	246.00 *	246.00 *	246.00 *	246.00 *	246.00 *	246.00 *
	5.20 #	5.20 #	5.20 #	5.20 #	5.20 #	5.20 #	5.20 #	5.20 #
General Funds	23,125,975	24,312,221	24,912,104	24,903,209	24,903	24,903	24,903	24,903
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	242.00 *	242.00 *	246.00 *	246.00 *	246.00 *	246.00 *	246.00 *	246.00 *
	5.20 #	5.20 #	5.20 #	5.20 #	5.20 #	5.20 #	5.20 #	5.20 #
Total Financing	23,125,975	24,312,221	24,912,104	24,903,209	24,903	24,903	24,903	24,903

*Permanent Position FTE

#Temporary Position FTE

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
THIRD CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 04

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual		Estimate		Budget Period		Estimate	
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual		Estimate		Budget Period		Estimate	
		2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	Adoption Filings	67	66	67	70	68	68	68	68
	Paternity Filings	212	156	137	119	132	129	128	129
A01	Civil Actions Filed, Circuit Court	444	445	454	449	450	450	450	450
A02	Criminal Actions Filed, Circuit Court	948	994	972	944	962	959	957	959
A03	Marital Actions Filed	515	493	475	460	471	469	468	469
A04	Traffic - New Filings	39,799	35,546	34,648	33,692	34,350	34,212	34,149	34,208

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (In thousands of dollars)

Fund to Which Deposited	Actual		Estimate		Budget Period		Estimate	
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
General Fund	3,223	3,244	3,244	3,244	3,244	3,244	3,244	3,244
Special Fund	957	968	968	968	968	968	968	968
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	4,180	4,212	4,212	4,212	4,212	4,212	4,212	4,212

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (In thousands of dollars)

Type of Revenue	Actual		Estimate		Budget Period		Estimate	
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Revenues from Use of Money and Property	1	1	1	1	1	1	1	1
Revenues from Other Agencies	0	0	0	0	0	0	0	0
Charges for Current Services	2,011	2,034	2,034	2,034	2,034	2,034	2,034	2,034
Fines, Restitutions, Forfeits & Penalties	2,168	2,177	2,177	2,177	2,177	2,177	2,177	2,177
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	4,180	4,212	4,212	4,212	4,212	4,212	4,212	4,212

JUD 330 THIRD CIRCUIT BUDGET REQUESTS

A. DESCRIPTIONS OF BUDGET REQUESTS

Restore Funding for an IT Support Technician III Position: Funding of \$52,908 for FY 2026 and \$52,908 for FY 2027 is requested to restore funding for an IT Support Technician position to maintain adequate IT-related services for staff and the public.

Restore Funding for a Social Worker IV Position: Funding of \$73,836 for FY 2026 and \$73,836 for FY 2027 is requested to restore funding for a Social Worker IV in the Juvenile Client Services Branch.

Restore Funding for a Court Documents Clerk III in Hilo: Funding of \$57,192 for FY 2026 and \$57,192 for FY 2027 is requested to restore funding for a Courts Document Clerk III in the Hilo Legal Documents Branch.

Restore Funding for a Judicial Clerk III Position in Kona: Funding of \$47,004 for FY 2026 and \$47,004 for FY 2027 is requested to restore funding for a Judicial Clerk III in the Kona Traffic Violations Branch.

Funding and Positions for a District Court Judge, Two District Court Clerk IIs, and One Court Bailiff: Funding of \$368,943 for FY 2026 and \$360,048 for FY 2027 is requested to fund an additional District Court Judge, two new District Court Clerks, and one Court Bailiff position to support hybrid in-court proceedings and virtual proceedings in Kona District Court.

B. REASONS FOR BUDGET REQUESTS

Restore Funding for an IT Support Technician III Position: In 2020, the Legislature removed funding for positions from the Third Circuit to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. One of these was an IT Support Technician at the Hale Kaulike Courthouse in Hilo that is necessary and critical to its operations. This request is for \$52,908 in FY 2026 and \$52,908 in FY 2027 to restore funding to this position.

Third Circuit is composed of a total of five IT Support Technicians including a supervisory position, IT Specialist IV. Two of the four IT Support Technicians are located and are assigned to the Hale Kaulike Hilo Courthouse. This limited IT Support Office provides technology support to approximately 125 staff, 8 courtrooms with audio/visual equipment, and approximately 270 computers throughout the courthouse. At times, IT Support Techs are dispatched to the South Kohala Courthouse to address any of their technology-related problems.

From the start of the COVID-19 pandemic, the workload for IT Support Technicians increased considerably to implement new solutions necessary for continued court operations. The Judiciary evolved from providing only in-person court proceedings prior

to the pandemic to offering remote court services in many of its civil and criminal proceedings. This IT Support Tech is responsible for coordinating the installation of new computer equipment and AV upgrades in every trial courtroom, as well as maintaining and troubleshooting the Zoom-enabled equipment that has been used to conduct over 2,122 Zoom hearings in FY24 for Third Circuit.

Currently, this position is filled and, while primarily assisting in web-conferencing and server support, they must also address any various IT-related problems. Problems range from assisting the public who utilize computer kiosks to access court records, and to assisting staff with computer-related software or troubleshooting issues.

To continue to provide this assistance, the restoration of funding of the IT Techs is needed. The position was redescribed from an existing unfunded position to an IT Tech to meet these needs. Cost savings from other areas due to the COVID-19 pandemic funded the position. Maintaining the funding may not be sustainable as the past cost savings from other vacancies have been filled and jury trials have resumed.

Given the increased use of technology for court users, the restoration of funding for this IT Support Technician position would help to provide the frontline support necessary to set up equipment, identify computer and AV related problems, and provide the necessary solutions to support the continued use of innovative court technologies.

Restore Funding for a Social Worker IV Position: In 2020, the Legislature removed funding for positions from the Third Circuit to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. One of these positions is a Social Worker IV in the Juvenile Client Services Branch located in Kona. This request is for \$73,836 in FY 2026 and \$73,836 in FY 2027 to restore funding to this position.

The Social Worker IV position serves as one of three Social Worker IV positions in the Kona Unit of the Juvenile Client Services Branch Division of the Third Circuit. While the Social Worker IV lost its funding in 2020 during the COVID-19 pandemic, Third Circuit decided to fill the position in March 2022 as the current staffing of two social workers were overwhelmed in addressing informal status offenses, law violators, and school nonattendance referrals. Third Circuit used savings from vacancies, no jury trials, and fewer guardian ad litem and legal counsel (GAL/LC) appointments to fill this position to-date. The workload currently distributed among the three social worker positions in the unit allows the social workers an appropriate amount of time to address the risk, needs, and responsivity with each juvenile as each juvenile is different. This also provides more time to conduct home, school, and community visits with the juveniles, which may result in a better outcome. Restoration of legislative funding is critical to maintaining stability in the work unit.

In the event funding is not restored and the position becomes vacant, Third Circuit is inclined to not recruit for a successor due to increasing budget constraints. This would lead again to strain on the two remaining social workers as the workload increases. Similar to other defunded positions that were filled through the temporary reallocation of funds, this may not be sustainable long-term without detrimental effects on other court operations.

Restore Funding for a Court Documents Clerk III in Hilo: In 2020, the Legislature removed funding for positions from the Third Circuit to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. One of these positions is a Court Documents Clerk III in the Legal Documents Branch located in Hilo. This request is for restoration of funding for a Court Documents Clerk in Hilo for \$57,192 in FY 2026 and \$57,192 in FY 2027.

As a result of this unfunded position over the last four years, it was critical to come up with creative solutions to shift work within various departments of the Legal Documents operations. We continue to make changes with work assignments to adjust to the workload based on staffing, work priorities, and projects that arise. Thus, the supervisors and staff within the Legal Documents unit are required to make operational adjustments daily. For example, probate filings were processed by the Legal Documents filing clerks; however, this task shifted to the Small Estates Specialist. The Legal Documents Filing Unit in Hilo does not have any positions that specialize in one specific area, and furthermore all Court Operations staff are cross-trained. This breadth of responsibilities for each employee is very taxing on supervisors and staff.

There are a total of six Court Documents Clerks in the Hilo Documents Filing Unit. Five are currently filled and the vacant position is this defunded position. Among other duties for this position, it would assist with Circuit and Family Court filings. The Family Court unit processes Temporary Restraining Orders (TROs) and spends much of their time assisting self-represented litigants (SRLs) at the counter and responding to the public via the phone.

There also has been a steady and significant increase to pre-pandemic numbers in TRO's filed in Hilo. Indeed, from 2019 to 2022, TRO filings in Hilo, particularly related to Domestic Abuse cases, have more than doubled that in Kona. This requires constant, stable staffing at our counters in Hilo to address these serious and time-sensitive matters.

Restore Funding for a Judicial Clerk III Position in Kona: In 2020, the Legislature removed funding for positions from the Third Circuit to help with the economic uncertainty that the State was facing due to the COVID-19 pandemic. One of these positions is a Judicial Clerk III in the Traffic Violations Branch located in Kona. This request is for restoration of funding for the Judicial Clerk in Kona for \$47,004 in FY 2026 and \$47,004 in FY 2027.

This position is critical to the overall Traffic Violations Branch. This section supports one District Court Judge that hears cases from the North and South Kona and Ka'ū Districts. It is one of four Judicial Clerk IIIs in the Kona Traffic Violations Branch (TVB), and the only vacant position.

The vacancy of this position has caused a backlog in creating citations in the Judiciary Information Management System (JIMS) and processing default judgments. Overtime costs were incurred to address the backlog and it has been resolved; however, the current staff in the Traffic Violations Branch is overwhelmed with daily duties.

Although some automation has made many tasks easier, it has not offset added demands. The complexity of the court’s processes requires clear understanding by Judiciary staff to articulate the information to self-represented litigants (SRLs) and process the work accurately and efficiently. Timely case creation is critical to ensure that JIMS reflects the most current information. The data entry of cases in JIMS is needed for the court calendars to print, for the collection of monetary assessments and fees online or at any designated court location, and for the public to view their cases on eCourt Koa.

Funding and Positions for a District Court Judge, Two District Court Clerk IIs, and One Court Bailiff: The Third Circuit is requesting \$368,943 in FY26 and \$360,048 in FY27 for an additional District Court Judge and support staff, namely, two District Court Clerks and one Bailiff. The additional judgeship is needed to address the current extraordinary caseload in Kona, as well as the continuing increase in complexity of cases, the time required to schedule and hear cases on the court calendars, and to improve public service and safety.

The Kona District Court is assigned to hear all district court criminal, traffic, and civil matters for the divisions of North Kona, South Kona, and Ka‘ū. The first Kona District Court Judge was sworn in nearly forty (40) years ago, in November of 1986. According to U.S. Census Bureau data from the 1980 census, at that time, the combined population of the North and South Kona and Ka‘ū divisions was only 23,361 residents. In the intervening decades, population and case filings have increased tremendously. As of the 2020 census, the combined population of North and South Kona and Ka‘ū divisions has more than doubled to 62,081 residents, and demographic indicators point to continued population growth into the future.

The current caseload of the Kona District Court is nearly 16,000 cases annually, which are all currently being handled by one judge in one courtroom. In FY 2024, new case filings in Kona District Court include:

Civil Case filings:	1,085
Traffic Case filings:	13,436
Criminal Case filings:	<u>1,462</u>

Total New Filings for FY24: 15,983

The number of case filings in Kona has grown over the decades. At the same time, case complexity has increased. This combination of factors has led to unsustainable court congestion and delays that only the addition of another judge will adequately alleviate.

Case Volume and Calendar

The Kona District Court is a mixed criminal and civil docket, and the Court must therefore accommodate a large array of cases and hearing types with finite hearing time. Every week, the Court must set aside time to handle criminal and traffic arraignments, pretrial conferences, motion hearings, change of plea and sentencing hearings, and other non-

evidentiary matters. The Court must also reserve time each week for evidentiary hearings and trials in criminal and traffic matters.

With respect to civil matters, the Kona District Court Judge hears all case types, including regular and small claims, requests for restraining orders, and other miscellaneous matters. As with criminal and traffic matters, the Court must schedule regular times for hearings to be held in these cases, including motion hearings, summary possession hearings, evidentiary hearings, trials, and more.

To cope with the current volume of cases and ensure that some time is set aside to hear every case-type, the Kona District Court Judge is currently unable to schedule any regular time for the Judge and Court staff to prepare for hearings. Nearly every minute of available court time must be scheduled, or the Court risks sharply increasing case backlogs. To illustrate the impact of case volume on Kona District Court's calendars, consider the Court's weekly calendars for traffic matters. Every Monday and Thursday morning from 8:30AM to 11:00AM is reserved for regular, non-evidentiary hearings on traffic matters and DUI's. These calendars regularly exceed seventy (70) individual defendants scheduled each morning, and occasionally calendars can exceed a hundred defendants. Many of these defendants will have more than one case on the calendar. If there are seventy (70) defendants calendared for a single, two-and-a-half-hour timeslot, the Judge may only spend about two (2) minutes per defendant, or risk falling behind schedule. This is simply not realistic or sustainable.

Despite hearings scheduled all day, every day, the Kona District Court is currently only able to accommodate two (2) to three (3) total days for civil trials per month, and only four (4) to five (5) total days for criminal/traffic trials per month. This is insufficient time to handle the number of requests for trials and evidentiary hearings, and consequently the Court must double-set trials and schedule trials months out, even if the parties are prepared to proceed sooner.

Additionally, because there is only one District Court Judge in Kona, that judge must also hear all the emergent matters that impact the regularly-scheduled calendar, such as preliminary hearings and police custodies. All Kona District Court custody matters must be heard every day at 11:00AM, regardless of whether the Court has completed its morning calendar. The court has little flexibility with this schedule, due to the unique logistical challenge posed by the distance of the Keahuolū Courthouse from the jail, which is located nearly eighty (80) miles away in Hilo. The custody matters must be dealt with promptly so that the van transporting defendants from Kona to the jail can leave on time to arrive back at the jail before close of business.

The in-custody calendar involves the arraignment and preparation of bail orders for around five (5) to ten (10) defendants on most days, and many in-custody defendants have multiple cases each. On busy days, such as after a long weekend, the number of custodies may exceed twenty (20) defendants. Simply addressing in-custody matters on busy days may take hours, and if the Court is unable to finish its morning calendar before the custodies need to be heard, litigants whose cases were scheduled for 8:30AM may find themselves waiting until 1:00PM or even later for their case to be finally called. The Court has little ability to plan for these circumstances in advance. Court staff only discover how many police custody cases there are in the morning, after being notified by police. District Court

staff must then rapidly and simultaneously prepare for these cases while the regularly-scheduled morning hearings are underway.

Finally, because the Kona District Court is so chronically overscheduled, it is not uncommon for court to be in session almost continuously from 8:30AM until near the close of business, without a meaningful break. Kona District Court staff often alternate their lunch breaks so that court hearings can continue through the lunch hour uninterrupted. This affects litigants and their attorneys, especially the public defender and prosecutor, who will sometimes be on the record continuously for hours, often working through lunch and well into the afternoon. This reality, in addition to being unhealthy and poor for morale, hinders the judge's ability to address other essential and time-sensitive functions of the District Court Judge, such as reviewing search warrants, judicial determinations of probable cause, and applications for TROs.

Increase in Case Complexity

An increase in case complexity and the need for specialty calendars has compounded the problem of high case volume over the years. Over the last decade, case law development in DUI matters has increased the amount of necessary court time to deal with these cases. DUI cases comprise a large percentage of the criminal trials and motions to suppress evidence held in the Kona District Court. Today, DUIs are highly technical, expert-heavy cases, and prosecutors must spend considerable time laying evidentiary foundation during these trials. The result is that a DUI trial, unlike trials in less technical cases, can rarely be concluded in a single two- or three- hour-long hearing. This means that most DUI trials must be continued at least once—sometimes multiple times—before the trial is completed. Because of court congestion, DUI suppression hearings and trials may take place piecemeal over months, before such hearings or trials are finally able to be concluded.

Additionally, the Kona District Court has a dedicated mental health calendar on the third Wednesday of every month. These cases are staffed in the morning with the presence of the Adult Mental Health Services Division's forensic coordinator, and treatment team members. This dedicated time for handling these sensitive cases helps ensure that the most vulnerable defendants are receiving the best treatment and services available to help improve outcomes and reduce recidivism.

These specialty calendars are critical to meeting the needs of all who come before our courts. But these specialty calendars also require considerable time and effort on the part of the Judge and court staff, and they ultimately compound the problem of court congestion by adding another layer of complexity.

Finally, as the number of civil cases has increased over the years, so has the number of *pro se* civil litigants coming before the court. Cases involving *pro se* litigants, which represent the majority of civil cases filed in Kona District Court, require significant time and attention by the District Court Judge, who must take into consideration the unfamiliarity of most *pro se* litigants with court rules and procedures. These cases, while usually not technically complex, often require the District Court Judge to expend significant energy to ensure these cases stay on track and are handled fairly and in accordance with the law.

Judiciary's Mission

The Judiciary's primary mandate is to administer justice impartially, efficiently, and in an accessible manner, according to the law. However, in the overworked and understaffed Kona District Court, this is challenging. Delays in case hearings and resolutions contribute to long waiting periods for litigants, adversely affecting their experience and undermining their trust in the justice system. On busy days, some litigants may be required to wait for many hours for their case to be called, and case backlogs can result in multiple continuances.

The inability of the Kona District Court to hear and resolve all cases expeditiously can also create a domino effect. The likelihood that a criminal defendant or vulnerable litigant will appear for a scheduled hearing decreases with each continuance. Defendants whose cases are continued multiple times may be arrested for failing to appear, which in turn contributes to even greater court congestion. The impact of delays caused by court congestion is even more serious for defendants who are held in custody while awaiting trial.

The sheer volume of cases handled by the sole Kona District Court Judge results in systemic inefficiencies and risks decreasing the quality of justice for both litigants and victims. One judge being tasked with such an immense workload puts that judge in the impossible position of having to choose between rushing cases to ensure all matters are heard timely and being as thorough as the law requires, even if doing so will increase backlogs and delays. The addition of a second District Court Judge and support staff would meet a critical need and ensure that the Kona District Court is functioning efficiently and effectively in service to the public.

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
FIFTH CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 05

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	05	Fifth Circuit

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	5,811,225	7,406,497	7,406,497	7,406,497	7,201	7,201	7,201	7,201
Other Current Expenses	2,409,417	1,818,923	1,818,923	1,818,923	1,803	1,803	1,803	1,803
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	0	0	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	8,220,642	9,225,420	9,225,420	9,225,420	9,004	9,004	9,004	9,004
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	8,220,642	9,225,420	9,225,420	9,225,420	9,004	9,004	9,004	9,004

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	General Funds	103.00 *	103.00 *	103.00 *	103.00 *	103.00 *	103.00 *	103.00 *
	2.60 #	2.60 #	2.60 #	2.60 #	2.60 #	2.60 #	2.60 #	2.60 #
General Funds	8,220,642	9,225,420	9,225,420	9,225,420	9,004	9,004	9,004	9,004
Special Funds	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
Revolving Funds	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
Total Financing	103.00 *	103.00 *	103.00 *	103.00 *	103.00 *	103.00 *	103.00 *	103.00 *
	2.60 #	2.60 #	2.60 #	2.60 #	2.60 #	2.60 #	2.60 #	2.60 #
Total Financing	8,220,642	9,225,420	9,225,420	9,225,420	9,004	9,004	9,004	9,004

*Permanent Position FTE

#Temporary Position FTE

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
FIFTH CIRCUIT

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 01 05

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual		Estimate		Budget Period		Estimate	
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual		Budget Period			Estimate		
		2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
	Adoption Filings	22	25	26	27	26	26	26	26
	Paternity Filings	73	44	38	33	37	36	36	36
A01	Civil Actions Filed, Circuit Court	143	137	137	138	138	138	138	138
A02	Criminal Actions Filed, Circuit Court	273	265	259	252	257	256	256	256
A03	Marital Actions Filed	149	141	136	132	135	134	134	134
A04	Traffic - New Filings	11,171	10,972	10,694	10,399	10,602	10,560	10,540	10,558

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (In thousands of dollars)

Fund to Which Deposited	Actual		Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
General Fund	910	930	930	930	930	930	930	930
Special Fund	260	268	268	268	268	268	268	268
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	1,170	1,198	1,198	1,198	1,198	1,198	1,198	1,198

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (In thousands of dollars)

Type of Revenue	Actual		Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Revenues from Use of Money and Property	17	15	15	15	15	15	15	15
Revenues from Other Agencies	0	0	0	0	0	0	0	0
Charges for Current Services	534	554	554	554	554	554	554	554
Fines, Restitutions, Forfeits & Penalties	619	629	629	629	629	629	629	629
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	1,170	1,198	1,198	1,198	1,198	1,198	1,198	1,198

**JUD 350 FIFTH CIRCUIT
BUDGET REQUESTS**

A. DESCRIPTION OF BUDGET REQUESTS

None.

B. REASON FOR BUDGET REQUESTS

Not applicable.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
JUDICIAL SELECTION COMMISSION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 01

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	02	Support Services
Level III	01	Judicial Selection Commission

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	90,100	93,444	93,444	93,444	93	93	93	93
Other Current Expenses	47,381	20,630	20,630	20,630	21	21	21	21
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	0	0	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	137,481	114,074	114,074	114,074	114	114	114	114
Capital & Investment Costs	0	0	0	0	0	0	0	0
Total Program Expenditures	137,481	114,074	114,074	114,074	114	114	114	114

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
		1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
General Funds	137,481	114,074	114,074	114,074	114	114	114	114
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Funds	0	0	0	0	0	0	0	0
	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Total Financing	137,481	114,074	114,074	114,074	114	114	114	114

*Permanent Position FTE

#Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
JUDICIAL SELECTION COMMISSION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 01

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

<u>Measures of Effectiveness</u>	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	<u>Actual</u>	<u>Estimate</u>	<u>Budget Period</u>			<u>Estimate</u>		
	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>	<u>2028-29</u>	<u>2029-30</u>	<u>2030-31</u>
N/A								

PROGRAM SIZE INDICATORS (T=target group Indicators; A=activity Indicators)

<u>Code No.</u>	<u>Program Size Indicators</u>	<u>Actual</u>	<u>Estimate</u>	<u>Budget Period</u>			<u>Estimate</u>		
		<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>	<u>2028-29</u>	<u>2029-30</u>	<u>2030-31</u>
		N/A							

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (In thousands of dollars)

<u>Fund to Which Deposited</u>	<u>Actual</u>	<u>Estimate</u>	<u>Budget Period</u>			<u>Estimate</u>		
	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>	<u>2028-29</u>	<u>2029-30</u>	<u>2030-31</u>
	N/A							

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (In thousands of dollars)

<u>Type of Revenue</u>	<u>Actual</u>	<u>Estimate</u>	<u>Budget Period</u>			<u>Estimate</u>		
	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>	<u>2028-29</u>	<u>2029-30</u>	<u>2030-31</u>
	N/A							

**JUD 501 JUDICIAL SELECTION COMMISSION
PROGRAM INFORMATION**

A. PROGRAM OBJECTIVES

To screen and submit nominees for judicial vacancies, and to conduct hearings for retention of justices or judges.

B. PROGRAM ACTIVITIES

The Judicial Selection Commission is responsible for reviewing applicants for judgeships in Hawai'i courts and submitting a list of six nominees to the appointing authority for each vacancy. The Governor, with the consent of the Senate, appoints justices to the Supreme Court and judges to the ICA and Circuit Court. The Chief Justice appoints and the Senate confirms District Court and District Family Court judges. The Commission has sole authority to act on reappointments to judicial office.

The Judicial Selection Commission is attached to the Judiciary for administrative purposes only.

C. KEY POLICIES

The Judicial Selection Commission strives to effectively and efficiently oversee the activities relating to judicial vacancies and justices'/judges' retention.

D. IMPORTANT PROGRAM RELATIONSHIPS

None.

E. MAJOR EXTERNAL TRENDS

None.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

None.

G. PROGRAM REVENUES

None.

H. DESCRIPTION OF BUDGET REQUESTS

None.

I. REASONS FOR BUDGET REQUESTS

Not applicable.

JUDICIARY
STATE OF HAWAII

PROGRAM TITLE:
ADMINISTRATION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 02

POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	02	Support Services
Level III	02	Administration

PROGRAM EXPENDITURES

	EXPENDITURES IN DOLLARS							
	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Operating Costs								
Personal Services	17,157,074	49,691,092	19,852,063	19,852,063	19,852	19,852	19,852	19,852
Other Current Expenses	20,769,353	28,299,013	28,840,795	28,840,795	28,985	28,985	28,985	28,985
Lease/Purchase Agreements	0	0	0	0	0	0	0	0
Equipment	1,161,247	515,683	1,085,378	934,488	515	515	515	515
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	39,087,674	78,505,788	49,778,236	49,627,346	49,352	49,352	49,352	49,352
Capital & Investment Costs	20,955,000	17,000,000	9,900,000	0	0	0	0	0
Total Program Expenditures	60,042,674	95,505,788	59,678,236	49,627,346	49,352	49,352	49,352	49,352

REQUIREMENTS BY MEANS OF FINANCING

	Actual 2023-24	Estimated 2024-25	Budget Period		Estimated Expenditures (\$000's)			
			2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
		228.50 *	231.50 *	234.50 *	234.50 *	234.50 *	234.50 *	234.50 *
	8.48 #	7.48 #	8.48 #	8.48 #	8.48 #	8.48 #	8.48 #	8.48 #
General Funds	33,147,457	69,921,308	41,193,756	41,042,866	40,768	40,768	40,768	40,768
	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *	1.00 *
	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #	9.00 #
Special Funds	5,926,071	8,241,219	8,241,219	8,241,219	8,241	8,241	8,241	8,241
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	11,642	343,261	343,261	343,261	343	343	343	343
G.O. Bond Funds	20,955,000	17,000,000	9,900,000	0	0	0	0	0
	229.50 *	232.50 *	235.50 *	235.50 *	235.50 *	235.50 *	235.50 *	235.50 *
	17.48 #	16.48 #	17.48 #	17.48 #	17.48 #	17.48 #	17.48 #	17.48 #
Total Financing	60,040,170	95,505,788	59,678,236	49,627,346	49,352	49,352	49,352	49,352

*Permanent Position FTE

#Temporary Position FTE

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE:
ADMINISTRATION

PROGRAM STRUCTURE LEVEL NO. III

PROGRAM STRUCTURE NO. 01 02 02

MEASURES OF EFFECTIVENESS AND UNITS OF MEASURE

Measures of Effectiveness	PLANNED LEVELS OF PROGRAM EFFECTIVENESS							
	Actual	Estimate	Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Avg Time to Process JUDHR001 Form (Days)	5	5	5	5	5	5	5	5
Avg Time to Process Payment Document (Days)	5	5	5	5	5	5	5	5

PROGRAM SIZE INDICATORS (T=target group indicators; A=activity indicators)

Code No.	Program Size Indicators	Actual	Estimate	Budget Period			Estimate		
		2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
A01	Number of Payment Documents Processed	27,639	28,000	28,000	28,000	28,000	28,000	28,000	28,000
A02	Number of Recruitment Announcements	1,469	1,500	1,500	1,500	1,500	1,500	1,500	1,500
A03	Number of JUDHR001 Forms Processed	5,775	5,902	5,902	5,902	5,902	5,902	5,902	5,902
A04	Library-Size of Collection (000's)	290	295	295	295	295	295	295	295
A05	Library-Circulation & Reference Use (000's)	82	135	135	135	135	135	135	135
A06	Library-Patrons Served (000's)	17	15	15	15	15	15	15	15

PROJECTED PROGRAM REVENUES, BY TYPE OF FUND TO WHICH DEPOSITED (In thousands of dollars)

Fund to Which Deposited	Actual	Estimate	Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
General Fund	108	9	9	9	9	9	9	9
Special Fund	155	117	117	117	117	117	117	117
Other Funds	0	0	0	0	0	0	0	0
Total Program Revenues	263	126	126	126	126	126	126	126

PROJECTED PROGRAM REVENUES, BY TYPE OF REVENUE (In thousands of dollars)

Type of Revenue	Actual	Estimate	Budget Period			Estimate		
	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Revenues from use of Money and Property	139	101	101	101	101	101	101	101
Revenues from Other Agencies	0	0	0	0	0	0	0	0
Charges for Current Services	124	25	25	25	25	25	25	25
Fines, Restitutions, Forfeits & Penalties	0	0	0	0	0	0	0	0
Nonrevenue Receipts	0	0	0	0	0	0	0	0
Total Program Revenues	263	126	126	126	126	126	126	126

JUD 601 ADMINISTRATION PROGRAM INFORMATION AND BUDGET REQUESTS

The mission of the Office of the Administrative Director is to promote the administration of justice in Hawai‘i 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.

A. PROGRAM OBJECTIVES

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 (EEO) Office and the Judiciary Security Emergency Management Office are attached to the Deputy Administrative Director. The EEO Officer provides advice and technical assistance to the Judiciary to ensure compliance with equal opportunity laws, legislation, and policies. The EEO Officer is responsible for providing training to judges, administrators, and staff on current EEO issues; to develop and review EEO policies and procedures; and to investigate complaints of discrimination.

Policy and Planning

The Policy and Planning Department includes: Budget and Capital Improvement Project Division, Planning and Program Evaluation Division, Internal Audit Office, and the Legislative Affairs and Special Projects Division.

- To develop and maintain an effective and comprehensive planning capability within the Judiciary to provide the statewide organization with overall guidance and long-range direction in meeting the community's demands for judicial service.
- To establish and maintain a budgeting system that will serve as the mechanism by which the required resources to achieve the objectives of the Judiciary will be identified and articulated to top-level management.
- To develop and maintain a uniform statistical information system for the statewide Judiciary which identifies what data is needed as well as how the data will be collected, tabulated, analyzed, and interpreted so as to permit the periodic reporting of statistics of court cases to the principal decision-makers of the Judiciary and thereby facilitate evaluation of influential factors or variables affecting court workload and efficiency.
- To administer a judiciary-wide audit program to ensure compliance with laws, rules and regulations, and policies of the Judiciary, the State and, where applicable, the federal government.

- To conduct investigations and audits of accounting, reporting, and internal control systems established and maintained in the Judiciary, and to suggest and recommend improvements to accounting methods and procedures.
- To maintain oversight and coordination of the Judiciary's capital improvement projects to ensure compliance with the Judiciary's policies and applicable State and Federal rules and regulations.
- To coordinate the Judiciary's legislative activities and special projects.

Financial Services

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

- To provide current, accurate, and complete financial and accounting data in a form useful to decision-makers.
- To ensure adequate and reasonable accounting control over assets, liabilities, revenues, and expenditures in accordance with generally accepted accounting principles, laws, policies, rules, and regulations of the State and the Judiciary.
- To provide a fair and expeditious administrative process for revoking the driver licenses of alcohol or drug impaired offenders who have shown themselves to be safety hazards by driving or boating under the influence of intoxicants or who refused chemical testing.

Information Technology and Systems

The Information Technology and Systems Department includes: Applications Division, Infrastructure Division 1, Infrastructure Division 2, and the Documents Management Division.

- To plan, organize, direct, and coordinate the Judiciary's statewide telecommunications and information processing program, resources, and services by providing advice, guidance, and assistance to all Judiciary courts and administrative units relating to the concepts, methods, and use of telecommunication and information processing technologies and equipment.
- To plan, direct, and manage a centralized court records management system which includes reproduction, retention, control, storage, and destruction.
- To maintain accurate and complete court records, render technical assistance, and provide information and reference services from court records to court personnel, attorneys, and the general public.
- To provide cost effective printing, form development, and related services, statewide.

- To lead and enhance Judiciary cybersecurity, from the network and IT infrastructure to end-users.

Intergovernmental and Community Relations

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.

- To promote public awareness and understanding of the Judiciary by disseminating information through various print, broadcast, and electronic means; the news media; and direct dealings with the general public and other audiences concerning the role of the Judiciary and the services that it provides.
- To acquaint the Legislature with the program and policies of the Judiciary in order to convey the ongoing needs and importance of its role as an independent branch of government.
- To advise Judiciary officials on public perception of particular issues relating to the Judiciary.
- To design and implement projects that promote access to the courts for all persons, including those with special needs.
- To promote, through research and educational programs, fair treatment in adjudication of cases and provision of services to the public.
- To inform and provide learning opportunities to the public about the judicial process and Hawai'i's legal history from precontact to present. The Judiciary History Center generates knowledge by conducting and encouraging research, disseminating information, and collecting, preserving, and displaying materials.
- To provide an impartial professional process for addressing reports of felony child abuse that will facilitate access to the justice system for child victims and witnesses.
- To maintain a continuing liaison with agencies and departments dealing with child abuse to foster cooperation within the legal system to improve and coordinate activities for the effective overall administration of justice.
- To investigate, design, and implement alternative dispute resolution processes for the judicial, legislative, and executive branches of government that will assist these three branches of government in resolving their disputes. Emphasis is on developing systems for use by the Judiciary in the various courts, mediating/facilitating public policy issues, and building skills capacity within all branches of government.

- To provide and coordinate the Judiciary's statewide guardianship services for mentally incapacitated adults.
- To provide information, referral, and technical assistance to guardians and to the courts on the roles and responsibilities of a guardian.
- To effectively utilize volunteer citizen participants from a cross-section of the community in formalized volunteer positions based on the needs of the Judiciary and the skills, talents, and interests of the volunteers.
- To collect, organize, and disseminate information and materials relating to legal research and judicial administration in order to enhance the effectiveness of the judicial process.

Human Resources

The Human Resource Department includes: Administrative Services Division, Compensation Management Division, Employee Services Division, Disability Claims Management Division, Labor Relations Division, Staffing Services Division and the Judicial Education Office.

- To manage a central recruitment and examination system that will attract the most capable persons, provide a selection system that will ensure the highest caliber employee, and exhibit our commitment to celebrate diversity and create an inclusive environment for all employees.
- To develop, enhance, and manage a Judiciary compensation program consistent with merit principles, recognized job evaluation principles and methodologies, and labor market trends, and to attract and retain a competent and skilled workforce.
- To develop and implement an ongoing comprehensive continuing legal education program for judges to support them in their judicial roles and in the performance of their duties and responsibilities and programs of continuing education and development for staff in support of the judges and the mission of the Judiciary.
- To administer a Judiciary-wide workers' compensation program designed to provide claims management, cost containment, and vocational rehabilitation services to all echelons of the Judiciary.

Commission on Judicial Conduct

- To investigate and conduct hearings concerning allegations of misconduct or disability of justices or judges.
- To make recommendations to the Supreme Court concerning the reprimand, discipline, suspension, retirement, or removal of any justice or judge.
- To provide advisory opinions concerning proper interpretations of the Revised Code of Judicial Conduct.

B. PROGRAM ACTIVITIES

The Office of the Administrative Director of the Courts serves as the administrative arm of the Judiciary. It is headed by an Administrative Director who is appointed by the Chief Justice with the approval of the Supreme Court. The Administrative Director is assisted by a Deputy Administrative Director of the Courts in fulfilling the duties and responsibilities assigned to the office. The Director's Office is comprised of a number of staff and specific programs, including the Administration Fiscal Office and the Judiciary Security & Emergency Management Office.

The planning, statistical data management, program evaluation, budgeting, capital improvement, audit, and legislative coordination functions are carried out by the Policy and Planning Department.

The financial, purchasing, and administrative drivers' license revocation functions are performed by the Financial Services Department.

The data processing, reprographics, telecommunications, and records management functions are performed within the Information Technology and Systems Department.

The Human Resources Department manages centralized programs of recruitment, compensation, record keeping, employee and labor relations, employee benefits, disability claims, and continuing education.

The Intergovernmental and Community Relations Department provides legal services, public relations, and information services for the Judiciary; coordinates citizen volunteer services and investigative processes in cases of intrafamilial and extrafamilial child sex abuse; researches, plans, and develops alternate dispute resolution procedures and programs; and provides educational programs using a variety of interpretive media that promote understanding and appreciation of the history of Hawai'i's Judiciary. This department is also concerned with providing public guardianship for incapacitated adults, promoting equality and accessibility in the State's justice system, and providing legal reference resources and services to the courts, the legal community, and the public.

The Commission on Judicial Conduct, which is attached to the Judiciary for administrative purposes only, is responsible for investigating allegations of judicial misconduct and disability. Rules of the court require that three licensed attorneys and four non-attorney citizens be appointed to this Commission. An additional function allows the Commission to issue advisory opinions to aid judges in the interpretation of the Code of Judicial Conduct.

C. KEY POLICIES

The Judiciary's Administration strives to improve and streamline procedures to attain maximum productivity from available resources, promote uniformity in statewide court operations, and prevent duplication of effort from circuit to circuit.

D. IMPORTANT PROGRAM RELATIONSHIPS

As one of the three branches of state government, the Judiciary works closely with and cooperates with the executive and legislative branches. Executive agencies with which the Judiciary has frequent contact include the Departments of Health, Education, and Human Services. The Department of the Attorney General is regularly consulted regarding the interpretation of laws governing the Judiciary. Other executive agencies which provide services or consultations to the Judiciary are the Departments of Budget and Finance, Accounting and General Services, Human Resources Development, Law Enforcement, and Corrections and Rehabilitation. Because any new legislation potentially affects the courts, the Judiciary's interaction with the legislative branch is also of critical importance.

E. MAJOR EXTERNAL TRENDS

Increasing population and urbanization, dynamic economic conditions, changing social values, expansion of the rights of criminal defendants and consumers, the creation of new classes of civil and criminal actions, and the increasing tendency for litigants to exercise their right to a review of trial court decisions all contribute to the rising workload of the courts, and impact the activities of the Office of the Administrative Director.

F. COST, EFFECTIVENESS, AND PROGRAM SIZE DATA

There is no significant discrepancy between the program size and cost variables in the Administrative Director's Program.

The major focus of this program for the upcoming biennium period is to continue providing quality administrative support and direction to the rest of the Judiciary, and enhancing efficiency within the current fiscal constraints.

G. PROGRAM REVENUES

Revenues are collected from movie production companies, photographers, and others that use Judiciary facilities for their work, and are deposited into the state general fund.

In accordance with HRS, section 601-3.5, revenues from library fines, other charges for late, lost, or damaged books, and for photocopying services are deposited into the Supreme Court Law Library Revolving Fund.

H. DESCRIPTIONS OF BUDGET REQUESTS

Positions and Funding to Enhance the Office of the Public Guardian (OPG): The Judiciary is requesting \$136,314 in FY 2026 and \$125,424 in FY 2027 for three Social Services Assistants with related equipment to assist existing staff with workload.

Funding to Increase Risk Management Cost Allocation: Funding in the amount of \$151,000 for FYs 2026 and 2027 is requested for increased Risk Management costs.

Restore Funding for a Purchasing and Specifications Specialist V: Request for \$71,016 in FYs 2026 and 2027 to restore funding for a defunded position in the Financial Services Department (FSD).

Funding to Replace Courthouse Switches: Request for \$560,000 in FY 2026 and \$420,000 in FY 2027 to replace courthouse switches that have reached their end-of-life.

Funding to Upgrade Microsoft Email: Funding of \$1,175,300 in FYs 2026 and 2007 is requested to upgrade the Judiciary's email to improve cybersecurity capabilities.

Restore Funding for Four ITSD Positions and Update Security Technology: Request for \$458,224 in FYs 2026 and 2027 to restore funding for four defunded and redescribed positions and additional IT tools to support cybersecurity.

Continue CJRI Temporary Position: Request for continuation of a temporary Project Specialist position and \$71,016 in both years of the biennium to continue critical support of the Criminal Justice Research Institute.

I. REASONS FOR BUDGET REQUESTS

Positions and Funding to Enhance the Office of the Public Guardian (OPG): The Judiciary requests \$136,314 in FY 2026 and \$125,424 in FY 2027 for three Social Services Assistant IV positions and related equipment for the Office of the Public Guardian. The positions will assist the Third Circuit (Hawai'i County) and First Circuit (City and County of Honolulu) guardians service to every ward entrusted to OPG's care.

OPG personnel are court-appointed to make informed decisions in the best interests of individuals by safeguarding the rights, dignity, humanity, and quality of life for protected persons entrusted to their care. Referrals for OPG guardianship are largely initiated by hospitals, long-term care facilities, the Department of Human Services and Department of Health.

When OPG is appointed as guardian for an incapacitated person, it comes with a myriad of challenges associated with researching and untangling the wards' unique situations. These challenges include determining the ward's medical conditions, mental health, disabilities, injuries, financial situation, citizenship, military benefits, insurance coverage, family ties, and marital status, among other factors that significantly impact how the OPG will best serve them. OPG Social Workers serving as guardians spend much of their time investigating personal information such as citizenship; obtaining identification information; investigating and securing highly complex accounts and income such as trusts, properties, pensions, and insurance for new cases; handling end-of-life issues such as funeral planning and working with hospice; managing crises; and attending mandatory care plan and service plan meetings.

OPG is challenged with very high caseloads, approximately 100 to 135 cases per guardian. A reasonable OPG client-to-staff ratio is 50 – 60 wards per guardian, which would enable efficient and effective management of cases. Public Guardianship is a service that requires the guardians to acquire vast knowledge and work within many systems and gain familiarity with each person entrusted to their care. Intimate knowledge of each ward's background should include the ward's opinion and input of their needs and wants, if they have the ability to provide such information. A strong rapport and input from the wards guide guardians in making decisions that are personalized, least restrictive, and dignified. This requires face-to-face contact and quality time with each ward.

Presently, OPG guardians are unable to build such connections with every ward because they are constantly called to address emergencies for the most unstable wards. Much of the guardians' time is allocated to working with wards that have medical and behavioral issues that cycle through systems such as hospitals, courts, and placements. It is imperative that guardians prioritize these cases to prevent loss of benefits, unnecessary homelessness, decompensation, and other problems that could lead to larger health or public safety issues. As such, the most difficult cases receive the most attention and the wards that are seemingly stable do not have the same opportunity with guardians.

High caseloads reduce the opportunities for OPG to connect with many wards, most particularly the more stable ones. The additional Social Services Assistant IVs will be assigned medium and low priority tasks such as filing applications to public benefits and entitlements, preparation of reports, and shopping and delivering goods for wards. Such tasks are necessary but are often deferred because of competing demands. The Social Services Assistants would enable guardians to increase visits to all OPG wards. In addition, Social Services Assistants could improve safety when accompanying guardians in certain situations. Often, staff enter homes where residents not under OPG's care are unstable. Guardians have experienced safety concerns including threats of violence, dog bites, etc.

Funding to Increase Risk Management Cost Allocation: Pursuant to Comptroller Memoranda 1999-28 and 2007-05, and HRS § 41-D(4), the Department of General and Accounting Services (DAGS) bills the Judiciary annually for its share of the state's risk management costs which include insurance policy premiums. DAGS notified the Judiciary that its share of the risk management costs would increase by about \$151,000, or 20 percent, from \$753,935 per year in FY 2025 to \$904,722 per year thereafter. Although DAGS has not yet provided the breakdown for FY26, property insurance accounted for nearly 76% of the total cost in FY25. Coverage for tort (general liability) was the second largest at 20%, followed by cyber liability at 3%, criminal acts at 1% and auto insurance at less than 1%.

DAGS advises that the risk management cost increase is largely due to property insurance premiums after the devastating Maui wildfires. Also contributing to recent increases are the addition of the Kona Judiciary Complex; update of the valuation of Kauiekaouli Hale and Ka'ahumanu Hale (based on March Insurance Company's replacement cost study in 2019); and use of historical costs for the 'Ewa District Court, Kāne'ōhe District Court, and Hoapili Hale.

The Judiciary is requesting \$151,000 in FY 2026 and FY 2027 to cover the increase in risk management costs.

Restore Funding for a Purchasing and Specifications Specialist V: The Contract and Purchasing Division (CPD), within the Judiciary's Financial Services Department, includes a Purchasing and Specifications Specialist V position that was defunded in 2020 due to the COVID-19 pandemic. This defunded position is one of CPD's four authorized, full-time, Purchasing and Specifications Specialist positions to support the entire Judiciary, statewide. The CPD is responsible for a high volume of work covering purchasing, procurement, and contracts. More specifically, CPD responsibilities include:

- analyzing and evaluating program requisition requests with respect to the nature, purpose, scope, and need of each program;
- determining the appropriate purchasing procedure for each requisition through use of cost parameters, financial guidelines, and state procurement laws;
- reviewing program drafts of specifications of small purchases solicited through the Hawai'i State Electronic Procurement System;
- entering, managing, and awarding purchases solicited through the Hawai'i State Electronic Procurement System; developing specifications for large purchases (IFB and RFP);
- reviewing bids and proposals received for compliance with program and legal requirements prior to contract award, and to determine any irregularities in offers and bid deposits;
- awarding and processing contracts to the lowest responsive and responsible bidder (for IFBs) or highest scored proposal (for RFPs) that falls within purchasing guidelines while meeting program requirements and statutory compliance, all pursuant to provisions of the solicitation;
- providing assistance, guidance, and recommendations to fiscal officers and staff in all aspects of purchasing;
- investigating and recommending solutions to problems and inquiries through use of budgetary data, cost parameters, financial and statutory guidelines, and market conditions;
- processing daily purchase requisitions, answering questions posed by vendors, and updating purchase records in order to maintain a current database;
- completing applicable encumbrance reports to DAGS and/or posting contract awards on internet;
- investigating complaints concerning product quality, contract performance, vendor services, or late payments;

- making recommendations regarding the ramifications resulting from these actions;
- determining compliance with statutes, rules and policy relating to the circumstances, and providing recommendations to resolve the problem; and
- compiling and creating purchasing procedures for use by Judiciary personnel and vendors.

CPD processes approximately 1044 purchase requisitions annually, processes and executes approximately 872 contracts annually, and prepares and conducts approximately 12 Competitive Sealed Bids and 17 Competitive Purchase of Service and Competitive Sealed Proposals solicitations annually. Since 2021, CPD has assumed the responsibility of conducting all 103D small purchases with an estimated expenditure of \$15,000 to less than \$100,000. CPD conducts approximately 27 103D small purchase solicitations annually. CPD is responsible for posting and managing all Competitive Sealed Bids, Competitive Purchase of Service and Competitive Sealed Proposals, and 103D Small Purchases with an estimated expenditure of \$15,000 to less than \$100,000 on the State of Hawai'i eProcurement system. CPD posts and manages approximately 56 solicitations on the State of Hawai'i eProcurement system annually.

Due to the volume, complexity, and significance of the duties of CPD, the Judiciary requests restoration of \$71,016.

Funding to Replace Courthouse Switches: The Judiciary requests \$560,000 in FY 2026 and \$420,000 in FY 2027 to replace network switches in courthouses across the state that have reached their end-of-life.

Network switches provide internet and phone connections to PCs, Cisco phones, printers and courtroom devices. They were last replaced between 2016 and 2018. As network switches age, network connections become unreliable and then eventually become inoperable. A significant number of Judiciary courthouse network switches have reached the end of their useful lifespan. These network switches enable the court to be connected to the Judiciary data center and the internet. With the large number of switches that have reached their end of useful life, many switches may fail within the same fiscal year. This can lead to the remaining operable switches reaching their capacity and resulting in parts of the courthouse without network access and significantly disrupting operations.

The Judiciary currently has a total of 290 floor switches; 140 of these exceed seven years old. The average useful lifespan of a switch is between five to eight years. Due to the large number of switches at and near their end-of-life, many failures simultaneously would greatly impact the Judiciary's ability to operate at the affected sites.

The replacement of old switches will avoid major network interruptions. The Judiciary is requesting funding for two types of switches. A core switch is the major switch for a building or data center that is at the heart of the network connectivity of a building. It handles communication between the building floors and across the Judiciary network. Floor switches extend from the core switch to provide connectivity to the endpoints on each floor of a building. This request is to fund the replacement of 140 switches statewide

within Judiciary’s facilities and 14 data center core switch line cards over the course of the biennium.

Funding to Upgrade Microsoft Email: The Judiciary is requesting \$1,175,300 in FYs 2026 and 2027 to upgrade the current email subscription level to improve security capabilities.

The Judiciary is currently using Microsoft O365 for basic email with multifactor authentication and basic threat detection and protection. With government agencies and courts increasingly being targeted for cybersecurity attacks, this level of security is no longer sufficient. Phishing campaigns have increased and are now more sophisticated than ever. In October 2024, the Judiciary was the victim of a successful, sophisticated phishing campaign. The email accounts of two employees were successfully breached. The Judiciary’s IT Department detected the first breach 21 hours after it occurred and was able to contain it within three hours of detection. As the first account was contained, the second breach occurred and was detected the next day. The current level of detection is based on email alerts that require evaluation by the Judiciary’s IT Department. The alerts were based on login activities in different foreign countries in a short amount of time.

Upgrading from O365 basic email to M365 G5 email would significantly enhance the Judiciary’s cybersecurity posture. M365 G5 email—the same level of the State of Hawai‘i Executive Branch, which the Legislature funded during the 2024 Regular Session—includes rich cybersecurity features that address prevention, detection, investigation, and remediation of cybersecurity attacks on emails and Sharepoint data. The consequences of not upgrading the current email system are continued exposure to increasingly serious and common cybersecurity threats.

Restore Funding for Four ITSD Positions and Update Security Technology: ITSD is requesting for \$458,224 in FYs 2026 and 2027 to restore funding for four positions that were defunded in 2020 due to the COVID-19 pandemic and provide additional IT tools to support the Judiciary’s cybersecurity.

As governments are increasingly becoming more exposed to cyber criminals, there is an increasing need to focus on dedicating more resources to cybersecurity. Cyber criminals have been using more sophisticated tools and vulnerabilities to compromise state agencies. The Judiciary’s current IT structure is composed of staff who support the operational needs of the Judiciary and are not focused on information security in a comprehensive way. Additional resources are needed to provide appropriate preventive cybersecurity measures and responsive measures, as needed. Restoration of funding for the four positions would allow the Judiciary’s IT Department to redescribe the positions to the modern need—a dedicated cybersecurity staff. Additional tools are also required to manage the Judiciary’s inventory of assets in an efficient and secure way—specifically, here, a suite of tools that can create strong access control, maintain a current list of its inventory and patch the assets, in addition to maintaining configuration baselines. Subscription-based tools are now available that offer the benefit of always being the most up-to-date version, which means the tool will keep up with the evolving threat landscape and eliminate the risk of a tool being outdated and becoming a threat vector itself.

High-profile ransomware incidents highlight the enormous costs to businesses and organizations. The requested additional funding is critical to helping manage and defend the Judiciary's IT infrastructure from the attacks of threat actors looking for vulnerabilities.

Continue CJRI Funding for a Temporary Position: The Judiciary also requests continuation of a temporary Project Specialist and \$71,016 in both years of the biennium to support the Criminal Justice Research Institute.

The CJRI was established by Act 179 in 2019, to collect, aggregate, and report on criminal pretrial data, including establishing a centralized statewide criminal pretrial justice data reporting and collection system.

In 2023, via Act 147, the Legislature appropriated funds for two years for CJRI to establish a centralized statewide criminal pretrial justice data reporting and collection system. The Act authorized one temporary full-time Project Specialist position for FY 24 and FY 25 ending on June 30, 2025.

This position's intent is to ensure that the Judiciary prioritizes and assists CJRI's needs for technical staff support related to Judiciary criminal data. As Judiciary data is ingested into the data warehouse, CJRI researchers need support from the Judiciary technical staff to ensure that the data is transformed into criminal pretrial data for meaningful use for research. The discussions have necessitated significant time from the Judiciary staff due to the complexity of the data, taking them away from their daily work. The position provides the additional resource that allows the Judiciary operations to assist with CJRI questions.

PART IV



Capital Improvements Appropriations and Details

JUDICIARY
STATE OF HAWAII

**REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS**

PROGRAM PLAN TITLE: Judiciary
PROGRAM STRUCTURE NO: 01

DESCRIPTION	Cost Element	Project Total	Prior Years Total	2023-24	2024-25	Recommended		Fiscal Year Estimates			
						2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
JUDICIARY TOTAL	Plans	500	0	0	0	500	0	0	0	0	0
	Land	100	0	0	0	100	0	0	0	0	0
	Design	5,925	375	0	0	5,550	0	0	0	0	0
	Constr	5,400	2,900	0	0	2,500	0	0	0	0	0
	Equip	1,250	0	0	0	1,250	0	0	0	0	0
	L/S	138,535	100,580	17,955	21,750	0	0	0	0	0	0
	Total	151,710	103,855	17,955	21,750	9,900	0	0	0	0	0
	G.O. Bonds	151,710	103,855	17,955	21,750	9,900	0	0	0	0	0

JUDICIARY
STATE OF HAWAII

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	2023-24	2024-25	Recommended		Fiscal Year Estimates			
						2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Wahilawa Civic Center Including New Judiciary Complex, O'ahu	Plans	0									
	Land	0									
	Design	0									
	Constr	0									
	Equip	0									
	L/S	76,000	76,000								
Total	76,000	76,000									
G.O. Bonds	76,000	76,000	0	0	0	0	0	0	0	0	0
Ka'ahumanu Hale Fire Alarm and Elevator Systems Upgrade and Modernization, O'ahu	Plans	0									
	Land	0									
	Design	0									
	Constr	0									
	Equip	0									
	L/S	18,755	5,000	4,505	9,250						
Total	18,755	5,000	4,505	9,250							
G.O. Bonds	18,755	5,000	4,505	9,250	0	0	0	0	0	0	0
Kaua'i Judiciary Complex Reroof Phase 3, Kaua'i	Plans	0									
	Land	0									
	Design	0									
	Constr	0									
	Equip	0									
	L/S	4,150		4,150							
Total	4,150	0	4,150	0							
G.O. Bonds	4,150	0	4,150	0	0	0	0	0	0	0	0
Aii'olani Hale A/C Replacement, O'ahu	Plans	0									
	Land	0									
	Design	0									
	Constr	0									
	Equip	0									
	L/S	4,000	1,000		3,000						
Total	4,000	1,000	0	3,000							
G.O. Bonds	4,000	1,000	0	3,000	0	0	0	0	0	0	0
Hoapili Hale Redirection of Condensate Discharge Maui	Plans	0									
	Land	0									
	Design	0									
	Constr	0									
	Equip	0									
	L/S	300		300							
Total	300	0	300	0							
G.O. Bonds	300	0	300	0	0	0	0	0	0	0	0

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	2023-24		2024-25		Recommended		Fiscal Year Estimates			
				2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31		
Lump Sum CIP for Judiciary Facilities, Statewide	Plans	500				500							
	Land	100				100							
	Design	1,500				1,500							
	Constr	2,400				2,400							
	Equip	500				500							
	L/S	11,000	3,000	3,000 A	5,000								
	Total	16,000	3,000	3,000 A	5,000	5,000	0	0	0	0	0	0	0
G.O. Bonds	16,000	3,000	3,000 A	5,000	5,000	0	0	0	0	0	0	0	
Ka'ahumanu Hale Sheriff Station Renovation, O'ahu	Plans	0											
	Land	0											
	Design	0											
	Constr	0											
	Equip	0											
	L/S	1,544	1,544										
	Total	1,544	1,544	0	0	0	0	0	0	0	0	0	0
G.O. Bonds	1,544	1,544	0	0	0	0	0	0	0	0	0	0	
Kapu'liwa Building Roof Replacement and Drainage Upgrades, O'ahu	Plans	0											
	Land	0											
	Design	0											
	Constr	0											
	Equip	0											
	L/S	1,750	1,750										
	Total	1,750	1,750	0	0	0	0	0	0	0	0	0	0
G.O. Bonds	1,750	1,750	0	0	0	0	0	0	0	0	0	0	
Hoapili Hale New Courtroom, Maui	Plans	0											
	Land	0											
	Design	0											
	Constr	0											
	Equip	0											
	L/S	2,570	1,320		1,250								
	Total	2,570	1,320	0	1,250	0	0	0	0	0	0	0	0
G.O. Bonds	2,570	1,320	0	1,250	0	0	0	0	0	0	0	0	
Supplemental Chiller for Juvenile Detention Facility, Ronald T. Y. Moon Judiciary Complex in Kapolei, O'ahu	Plans	0											
	Land	0											
	Design	0											
	Constr	0											
	Equip	0											
	L/S	1,520	1,520										
	Total	1,520	1,520	0	0	0	0	0	0	0	0	0	0
G.O. Bonds	1,520	1,520	0	0	0	0	0	0	0	0	0	0	

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	2023-24	2024-25	Recommended		Fiscal Year Estimates				
						2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	
Hoapili Hale Security Improvements, Maui	Plans	0										
	Land	0										
	Design	250	250									
	Constr	2,350	2,350									
	Equip	0										
	L/S	5,710	5,710									
	Total	8,310	8,310	0	0	0	0	0	0	0	0	0
G.O. Bonds	8,310	8,310	0	0	0	0	0	0	0	0	0	
Hoapili Hale Parking Structure Piping Renovations, Maui	Plans	0										
	Land	0										
	Design	0										
	Constr	0										
	Equip	0										
	L/S	3,736	3,736									
	Total	3,736	3,736	0	0	0	0	0	0	0	0	0
G.O. Bonds	3,736	3,736	0	0	0	0	0	0	0	0	0	
South Kohala District Courthouse, Hawai'i Island	Plans	0										
	Land	0										
	Design	4,000				4,000						
	Constr	0										
	Equip	0										
	L/S	0										
	Total	4,000	0	0	0	4,000	0	0	0	0	0	0
G.O. Bonds	4,000	0	0	0	4,000	0	0	0	0	0	0	
Children's Justice Center, O'ahu	Plans	0										
	Land	0										
	Design	0										
	Constr	0										
	Equip	0										
	L/S	6,000		6,000								
	Total	6,000	0	6,000	0	0	0	0	0	0	0	0
G.O. Bonds	6,000	0	6,000	0	0	0	0	0	0	0	0	
Kaua'i Judiciary Complex Chiller Replacement, Kaua'i	Plans	0										
	Land	0										
	Design	50				50						
	Constr	100				100						
	Equip	750				750						
	L/S	0										
	Total	900	0	0	0	900	0	0	0	0	0	0
G.O. Bonds	900	0	0	0	900	0	0	0	0	0	0	

JUDICIARY
STATE OF HAWAII

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS
BY CAPITAL PROJECT
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	2023-24	2024-25	Recommended		Fiscal Year Estimates				
						2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	
Kapuāiwa Building Separate Storm Drain and Sanitary Sewer Systems, O'ahu	Plans	0										
	Land	0										
	Design	125	125									
	Constr	550	550									
	Equip	0										
	L/S	1,500				1,500						
Total		2,175	675	0	1,500	0	0	0	0	0	0	
G.O. Bonds		2,175	675	0	1,500	0	0	0	0	0	0	
Judiciary	Plans	500	0	0	0	500	0	0	0	0	0	
Total	Land	100	0	0	0	100	0	0	0	0	0	
(Active Projects within FB 2023-2025)	Design	5,925	375	0	0	5,550	0	0	0	0	0	
	Constr	5,400	2,900	0	0	2,500	0	0	0	0	0	
	Equip	1,250	0	0	0	1,250	0	0	0	0	0	
	L/S	138,535	100,580	17,955	21,750	0	0	0	0	0	0	
	Total		151,710	103,855	17,955	21,750	9,900	0	0	0	0	0
G.O. Bonds		151,710	103,855	17,955	21,750	9,900	0	0	0	0	0	

PART V



Variance Report

VARIANCE REPORT

INTRODUCTION

The Variance Report presents for each program the absolute and percentage differences in expenditures, positions, measures of effectiveness, and program size indicators.

A. FORECASTING AND DATA COLLECTION METHODS

Until recently, the forecasting techniques used have been largely based on historical data. Accordingly, for variances reported historically and to some extent in this document, the initial estimate may have been inaccurate due to difficulties in forecasting. As noted, the Judiciary is in a transition period of refining measures of effectiveness and program size indicators in the courts and will be posting information on the Judiciary website as this progresses.^a The practical effect of refining forecasting methods and data collection methods is that forecasts may be more volatile for a period.

Data-driven approaches offer valuable insights to inform resource allocation and planning efforts. This project aims to explore analytical methods for predicting future trends in court filings using historical data from 1998 to 2024.

This report uses a straightforward statistical method for identifying relationships between filings and predictors such as socio-economic indicators. Specifically, linear regression generated an equation that estimated how much each predictor influenced court filings. This equation, based on the historical data, was then used to forecast future filings by plugging in projected values for the predictors.

Below, we summarize the methodology used to project filings for 2025–2031, including strategies to address data limitations and model fit challenges.

B. OVERVIEW OF METHODOLOGY

We utilized linear regression to capture the relationship between filings as a target value and a set of predictors. The following socio-economic indicators, provided by Hawai‘i’s Department of Business, Economic Development & Tourism (DBEDT)^b, were considered as predictors:

- Total population (thousands)
- GDP per Capita (dollars)
- Honolulu CPI (%)
- Civilian unemployment rate (%)

^a This transition is led by Mojtaba Abolfazli, Ph.D., Dominic K. Borromeo, and Adam Cohen, Ph.D.

^b Hawai‘i State Department of Business, Economic Development & Tourism provides monthly and annual data, accessible at <https://dbedt.hawaii.gov/economic/qser/outlook-economy/>. Historical data on population and GDP is sourced from the U.S. Department of Commerce, Bureau of Economic Analysis, while historical data for the Honolulu Consumer Price Index (CPI) is obtained from the U.S. Bureau of Labor Statistics.

While factors such as crime rates, policy changes, and education levels may have a more substantial impact on filings, it is important to note that regression models require both historical data and future projections for the predictors. Therefore, we limited the predictors to those with available historical records and future projections. The projection of socio-economic data was available only until 2027, which limited our linear regression projections to that year. Later in this section, we explain how to extend the projections beyond 2027 using a weighted moving average.

A common challenge with regression techniques is overfitting. It occurs when the model focuses too much on explaining the historical data, even capturing random changes that do not have real significance. As a result, the model struggles to make accurate predictions for new data because it is too tied to the specifics of the past, missing the broader patterns that drive the data. To prevent overfitting, we applied a technique called Lasso regularization. This technique simplifies the model by reducing the importance of certain predictors that contribute little to accurate predictions. This process helps the model to focus only on the most important predictors, improving its ability to make more reliable forecasts.

To evaluate the quality of model fit, an R^2 value was used. This value tells us how much of the variation in court filings can be explained by the predictors. An R^2 value close to 1 means the model explains most of the variability, while a lower value suggests it leaves much unexplained. This metric provides a quick way to judge the overall effectiveness of the model. We found that for linear regression, fitting a model to the total sum of filings across all circuit courts provided a better fit compared to modeling each circuit court individually. If the R^2 value was below 0.5, indicating the model did not fit the data well, we no longer considered regression for the projections and instead use the weighted moving average of the last three years.

These steps were taken to project filings in each reported court level and case type:

1. We applied linear regression with Lasso regularization to find the best model. For circuit courts cases, we consider total sum across all circuit courts.
2. If $R^2 \geq 0.5$, then:
 - a. For Courts of Appeals cases, we projected filings for the period 2025–2027 using the regression model. For the years 2028–2031, we employed a weighted moving average of the past three years with weights [0.5, 0.3, 0.2]. This approach calculates the projection by combining 50% of the previous year's value, 30% of the value from two years earlier, and 20% of the value from three years prior, applied on a rolling basis.
 - b. For Circuit Court cases, we projected total sum of filings across all circuit courts for the period 2025–2027 using the regression model. To determine the projected filings for the individual circuits, we used the average share of each court's filings from total sum of filings during 2021–2024 to allocate the total sum across each circuit court for 2025–2027. For the years 2028–2031, we employed a weighted moving average of the past three years with weights [0.5, 0.3, 0.2].

3. If $R^2 < 0.5$, we used a weighted moving average of the past three years with weights [0.5, 0.3, 0.2] to project filings for the period 2025–2031.

C. SPECIAL CONSIDERATIONS

Data from 2020, the year the pandemic disrupted typical patterns, was excluded from the analysis to maintain consistency with historical trends.

Given the limited amount of data, advanced techniques like time-series analysis, which require larger and more granular datasets, were not suitable.

Due to the Maui wildfires, there was a significant increase in the number of Civil Action filings in the Second Circuit Court in 2024. The forecasts in this document assume that the primary Maui wildfire case will proceed; this case remains pending decision on a reserved question before the Hawai‘i Supreme Court. Accordingly, the 2024 data was excluded from the weighted moving average calculations. For instance, the 2025 projection was based on 2021, 2022, and 2023 data.

D. GENERAL LIMITATIONS

An assumption of forecasting models is that the future will resemble the past. Specifically, this model assumes the factors that relate to filings in the past will continue to do so in the future. If these assumptions fail to hold because of unforeseen events or changes in the relationships between predictors and filings, then the projections will no longer be valid.

Selected factors that have historically changed and as a result impacted filings and other measures of effectiveness include staff shortages in the justice system, redirection or constraints on court resources, the effect of review and data clean-up, policy changes on the part of other criminal justice agencies, statutory amendments, or community-wide emergencies such as the COVID-19 pandemic or Maui wildfires. Therefore, it is important to regularly revisit and update the model as new data becomes available.

Finally, there are strong limits on the ability to forecast complex phenomena beyond three to five years.^{c,d} This would include court filings, which are influenced by a large set of known and unknown factors. Caution is warranted when considering the longer-range forecasts.

^c Tetlock, P.E. (2005). *Expert political judgment: How good is it? How can we know?* Princeton: Princeton University Press.

^d Tetlock, P. E. & Gardner, D. (2015). *Superforecasting: The Art and Science of Prediction*. New York: Crown.

PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2024					Fiscal Year 2025				
		A Budgeted	B Actual	Change From A TO B Amount	+/-	%	A Budgeted	B Estimated	Change From A TO B Amount	+/-	%
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	82.00	78.00	4.00	-	5	83.00	80.00	3.00	-	4
	Positions, Temp	1.48	0.00	1.48	-	100	0.48	0.48	0.00	+	0
	Expenditures	8,650	8,387	263	-	3	6,720	8,051	1,331	+	20
Totals	Positions, Perm	82.00	78.00	4.00	-	5	83.00	80.00	3.00	-	4
	Positions, Temp	1.48	0.00	1.48	-	100	0.48	0.48	0.00	+	0
	Expenditures	8,650	8,387	263	-	3	6,720	8,051	1,331	+	20

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount	+/-	%	A FY24 Actual	B Estimated	Change From A TO B Amount	+/-	%

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount	+/-	%	A FY24 Actual	B Estimated	Change From A TO B Amount	+/-	%
1	A01 Criminal Appeals Filed	179	145	34	-	19	145	154	9	+	6
2	A02 Civil Appeals Filed	426	429	3	+	1	429	415	14	-	3
3	A03 Original Proceedings Filed	115	90	25	-	22	90	100	10	+	11
4	A04 Appeals Disposed	597	565	32	-	5	565	559	6	-	1
5	A05 Motions Filed	2,001	2,448	447	+	22	2,448	1,940	508	-	21
6	A06 Motions Terminated	2,028	2,339	311	+	15	2,339	1,864	475	-	20

JUD 101 COURTS OF APPEAL

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2024, position variances were the result of normal employee turnover, recruitment time factors and difficulties in recruiting candidates. The corresponding expenditure variance for the fiscal year is attributed primarily to position vacancies.

In the first quarter of FY 2025, the variance in the number of filled authorized positions is again a carryover from the FY 2024 difficulties in recruitment and normal employee turnover. Expenditure variances are reflective of the vacancies in combination with expenditure levels that are typically lower in the early part of the fiscal year. For the remainder of FY 2025, position and expenditure variances are a result of the filling of positions and the normal increase in spending levels typically in the latter part of the fiscal year.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Actual filings of original proceedings and motions in FY2024 were >20% more than the estimate. Estimates are generally based on historical activity and do not account for current events.

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2024					Fiscal Year 2025				
		A Budgeted	B Actual	Change From A TO B Amount +/- %		A Budgeted	B Estimated	Change From A TO B Amount +/- %			
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	1,142.50	976.00	166.50	- 15						
	Positions, Temp	64.58	39.83	24.75	- 38						
	Expenditures	97,708	90,243	7,465	- 8						
Totals	Positions, Perm	1,142.50	976.00	166.50	- 15						
	Positions, Temp	64.58	39.83	24.75	- 38						
	Expenditures	97,708	90,243	7,465	- 8						

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

COST (Expenditures in \$1,000's)		Fiscal Year 2024					Fiscal Year 2025				
		A Budgeted	B Actual	Change From A TO B Amount +/- %		A Budgeted	B Estimated	Change From A TO B Amount +/- %			
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	1,144.50	981.00	163.50	- 14	1,144.50	1,021.00	123.50	- 11		
	Positions, Temp	64.58	33.26	31.33	- 49	64.58	33.26	31.33	- 49		
	Expenditures	25,241	19,696	5,546	- 22	75,724	89,511	13,787	+ 18		
Totals	Positions, Perm	1,144.50	981.00	163.50	- 14	1,144.50	1,021.00	123.50	- 11		
	Positions, Temp	64.58	33.26	31.33	- 49	64.58	33.26	31.33	- 49		
	Expenditures	25,241	19,696	5,546	- 22	75,724	89,511	13,787	+ 18		

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

PROGRAM SIZE INDICATORS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A FY24 Actual	B Estimated	Change From A TO B Amount +/- %			
1	Civil Actions Filed, Circuit Court	1,918	1,678	240	- 13	1,678	1,670	8	- 0		
2	Marital Actions Filed	3,076	2,970	106	- 3	2,970	2,683	287	- 10		
3	Adoption Proceedings Filed	*	278	278	+	278	374	96	+ 35		
4	Parental/Paternity Proceedings Filed	*	579	579	+	579	470	109	- 19		
5	Criminal Actions Filed, Circuit Court	1,723	1,453	270	- 16	1,453	1,582	129	+ 9		
6	Traffic - Filed	257,000	229,846	27,154	- 11	229,846	223,876	5,970	- 3		

* Reports in prior years reported adoption proceeding filings, parental/paternity proceeding filings, and traffic filings differently.

JUD 310 FIRST CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2024, position variances were the result of normal employee turnover, recruitment time factors, and difficulties in recruiting candidates. The challenges to fill temporary position vacancies are even greater than for permanent positions due to the nature of the positions being temporary.

In the first quarter of FY 2025, the variance in the number of filled authorized positions is again a carryover from the FY 2024 difficulties in recruitment and normal employee turnover. Expenditure variances are reflective of the vacancies in combination with expenditure levels that are typically lower in the early part of the fiscal year. For the remainder of FY 2025, position variances are a result of the filling of positions and the normal increase in spending levels typically in the latter part of the fiscal year.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

The Judiciary is working on refining program size indicators for adoption proceeding filings, parental/paternity proceeding filings, and traffic filings and will post available data on the Judiciary website.

JUDICIARY
 STATE OF HAWAII
 PROGRAM TITLE: Second Circuit

Program Plan ID: JUD 320

VARIANCE DETAILS
 Program Structure No. 01 01 03

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2024					Fiscal Year 2025				
		A Budgeted	B Actual	Change From A TO B Amount +/- %		A Budgeted	B Estimated	Change From A TO B Amount +/- %			
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	210.50	168.50	42.00	-	20	210.50	188.50	22.00	-	10
	Positions, Temp	1.68	1.20	0.48	-	29	1.68	1.68	0.00	+	0
	Expenditures	19,398	17,606	1,792	-	9	14,999	16,015	1,016	+	7
Totals	Positions, Perm	210.50	168.50	42.00	-	20	210.50	188.50	22.00	-	10
	Positions, Temp	1.68	1.20	0.48	-	29	1.68	1.68	0.00	+	0
	Expenditures	19,398	17,606	1,792	-	9	14,999	16,015	1,016	+	7

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A FY24 Actual	B Estimated	Change From A TO B Amount +/- %			

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A FY24 Actual	B Estimated	Change From A TO B Amount +/- %			
1	Civil Actions Filed, Circuit Court	362	816	454	+	125	816	352	464	-	57
2	Marital Actions Filed	422	439	17	+	4	439	384	55	-	13
3	Adoption Proceedings Filed	*	43	43	+		43	50	7	+	16
4	Parental/Paternity Proceedings Filed	*	143	143	+		143	113	30	-	21
5	Criminal Actions Filed, Circuit Court	745	428	317	-	43	428	599	171	+	40
6	Traffic - Filed	33,000	20,776	12,224	-	37	20,776	25,583	4,807	+	23

* Reports in prior years reported adoption proceeding filings, parental/paternity proceeding filings, and traffic filings differently.

JUD 320 SECOND CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2024, the permanent and temporary position variances were due to normal employee turnover and the sustained impact of vacant positions that were defunded in 2020 as a result of the COVID-19 pandemic.

In the first quarter of FY 2025, expenditure variances reflect normal expenditure levels which tend to be lower in the early part of the fiscal year. This is mainly due to normal procurement and operational practices.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 1, Civil Actions Filed in Circuit Court, were 125% higher than the estimated levels in FY 2024 because of the increase in civil lawsuits related to the Maui wildfires in August 2023.

Conversely, Item 5, Criminal Actions Filed in Circuit Court, were 43% lower than the estimated levels and, similarly for Item 6, Traffic filings were 37% lower than estimated levels; this is also largely attributable to the Maui wildfires.

JUDICIARY
 STATE OF HAWAII
 PROGRAM TITLE: Third Circuit

Program Plan ID: JUD 330

VARIANCE DETAILS
 Program Structure No. 01 01 04

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2024					Fiscal Year 2025				
		A Budgeted	B Actual	Change From A TO B Amount +/- %			A Budgeted	B Estimated	Change From A TO B Amount +/- %		
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	242.00	223.00	19.00	-	8	240.00	226.00	14.00	-	6
	Positions, Temp	5.20	2.40	2.80	-	54	5.20	3.20	2.00	-	38
	Expenditures	23,438	23,126	312	-	1	18,265	18,462	177	+	1
Totals	Positions, Perm	242.00	223.00	19.00	-	8	240.00	226.00	14.00	-	6
	Positions, Temp	5.20	2.40	2.80	-	54	5.20	3.20	2.00	-	38
	Expenditures	23,438	23,126	312	-	1	18,265	18,462	177	+	1

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount +/- %			A FY24 Actual	B Estimated	Change From A TO B Amount +/- %		

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount +/- %			A FY24 Actual	B Estimated	Change From A TO B Amount +/- %		
1	Civil Actions Filed, Circuit Court	549	444	105	-	19	444	445	1	+	0
2	Marital Actions Filed	566	515	51	-	9	515	493	22	-	4
3	Adoption Proceedings Filed	*	67	67	+		67	66	1	-	1
4	Parental/Paternity Proceedings Filed	*	212	212	+		212	156	56	-	26
5	Criminal Actions Filed, Circuit Court	1,079	948	131	-	12	948	994	46	+	5
6	Traffic - Filed	39,000	39,799	799	+	2	39,799	35,546	4,253	-	11

* Reports in prior years reported adoption proceeding filings, parental/paternity proceeding filings, and traffic filings differently.

JUD 330 THIRD CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2024, the temporary position variances were the result of a reduction in personal services funding during the 2020 legislative session, normal employee turnover, and related recruitment.

In the first quarter of FY 2025, the position variance reflects the continuing impact of COVID-19 pandemic related funding reductions, as well as the normal employee turnover and recruitment. The unfunded vacant positions remain a part of the vacancy counts for the entirety of FY 2025.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

There are no significant variances to report.

JUDICIARY
 STATE OF HAWAII
 PROGRAM TITLE: Fifth Circuit

Program Plan ID: JUD 350

VARIANCE DETAILS
 Program Structure No. 01 01 05

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2024					Fiscal Year 2025				
		A Budgeted	B Actual	Change From A TO B Amount +/- %		A Budgeted	B Estimated	Change From A TO B Amount +/- %			
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	103.00	77.00	26.00	- 25	103.00	93.00	10.00	- 10		
	Positions, Temp	2.60	1.00	1.60	- 62	2.60	2.60	0.00	+ 0		
	Expenditures	8,755	8,221	534	- 6	6,919	7,423	504	+ 7		
Totals	Positions, Perm	103.00	77.00	26.00	- 25	103.00	93.00	10.00	- 10		
	Positions, Temp	2.60	1.00	1.60	- 62	2.60	2.60	0.00	+ 0		
	Expenditures	8,755	8,221	534	- 6	6,919	7,423	504	+ 7		

PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A FY24 Actual	B Estimated	Change From A TO B Amount +/- %			

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A FY24 Actual	B Estimated	Change From A TO B Amount +/- %			
1	Civil Actions Filed, Circuit Court	137	143	6	+ 4	143	137	6	- 4		
2	Marital Actions Filed	162	149	13	- 8	149	141	8	- 5		
3	Adoption Proceedings Filed	*	22	22	+ 0	22	25	3	+ 14		
4	Parental/Paternity Proceedings Filed	*	73	73	+ 0	73	44	29	- 40		
5	Criminal Actions Filed, Circuit Court	272	273	1	+ 0	273	265	8	- 3		
6	Traffic - Filed	12,000 *	11,171	829	- 7	11,171	10,972	199	- 2		

* Reports in prior years reported adoption proceeding filings, parental/paternity proceeding filings, and traffic filings differently.

JUD 350 FIFTH CIRCUIT

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2024, position variances were the result of a reduction in personal services funding during the 2020 legislative session, normal employee turnover, and related recruitment.

In the first quarter of FY 2025, the position variance reflects the continuing impact of COVID-19 pandemic related funding reductions, as well as the normal employee turnover and recruitment. The unfunded vacant positions remain a part of the vacancy counts for the entirety of FY 2025. The corresponding expenditure variances for FY 2025 are attributed to the timing of actual payment disbursements, and normal procurement and operational practices.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

The Judiciary is in a transition period of refining measures of effectiveness and will be posting information on the Judiciary website as this progresses.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

There are no significant variances to report.

JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Judicial Selection Commission

Program Plan ID: JUD 501

VARIANCE DETAILS

Program Structure No. 01 02 01

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2024					Fiscal Year 2025				
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B		A Budgeted	B Estimated	Change From A TO B			
				Amount	+/- %			Amount	+/- %		
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	1.00	1.00	0.00	+ 0	1.00	1.00	0.00	+ 0		
	Positions, Temp	0.00	0.00	0.00	+ 0	0.00	0.00	0.00	+ 0		
	Expenditures	110	137	27	+ 25	85	76	9	- 11		
Totals	Positions, Perm	1.00	1.00	0.00	+ 0	1.00	1.00	0.00	+ 0		
	Positions, Temp	0.00	0.00	0.00	+ 0	0.00	0.00	0.00	+ 0		
	Expenditures	110	137	27	+ 25	85	76	9	- 11		

PART II – VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2024					Fiscal Year 2025				
Item No.	MEASURES OF EFFECTIVENESS	A Estimated	B Actual	Change From A TO B		A FY24 Actual	B Estimated	Change From A TO B			
				Amount	+/- %			Amount	+/- %		
N/A											

PART III – VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2024					Fiscal Year 2025				
Item No.	PROGRAM SIZE INDICATORS	A Estimated	B Actual	Change From A TO B		A FY24 Actual	B Estimated	Change From A TO B			
				Amount	+/- %			Amount	+/- %		
N/A											

JUD 501 JUDICIAL SELECTION COMMISSION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

Actual expenditures for FY 2024 were higher than budgeted primarily due to collective bargaining augmentation and judicial vacancy related expenses.

FY 2025 first quarter expenditures are higher than budgeted due to multiple judicial vacancies and retention related expenses. For the remainder of the fiscal year, expenditures are anticipated to be lower than budgeted amounts as vacancies are filled.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

N/A.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

N/A.

JUDICIARY

STATE OF HAWAII
PROGRAM TITLE: Administration

Program Plan ID: JUD 601

VARIANCE DETAILS

Program Structure No. 01 02 02

PART I – VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2024					Fiscal Year 2025				
		A Budgeted	B Actual	Change From A TO B Amount +/- %		A Budgeted	B Estimated *	Change From A TO B Amount +/- %			
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	229.00	197.00	32.00	- 14						
	Positions, Temp	17.48	7.48	10.00	- 57						
	Expenditures	39,805	39,088	717	- 2						
Totals	Positions, Perm	229.00	197.00	32.00	- 14						
	Positions, Temp	17.48	7.48	10.00	- 57						
	Expenditures	39,805	39,088	717	- 2						

MEASURES OF EFFECTIVENESS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated *	Change From A TO B Amount +/- %			
1.	Average Time to Process JUDHR001 Form (days)	5	5	0	+ 0	5	5	0	+ 0		
2.	Average Time to Process Payment Document (days)	5	5	0	+ 0	5	5	0	+ 0		

PROGRAM SIZE INDICATORS		Fiscal Year 2024					Fiscal Year 2025				
		A Estimated	B Actual	Change From A TO B Amount +/- %		A Planned	B Estimated	Change From A TO B Amount +/- %			
1.	A01 Number of Payment Documents Processed	28,100	27,639	461	- 2	28,000	28,000	0	+ 0		
2.	A02 Number of Recruitment Announcements	1,400	1,469	69	+ 5	1,500	1,500	0	+ 0		
3.	A03 Number of JUDHR001 Forms Processed	5,698	5,775	77	+ 1	5,902	5,902	0	+ 0		
4.	A04 Library - Size of Collections (000's)	285	290	5	+ 2	290	295	5	+ 2		
5.	A05 Library - Circulation, Trans & Ref Use (000's)	135	82	53	- 39	135	135	0	+ 0		
6.	A06 Library - Patrons Served (000's)	14	17	3	+ 21	15	15	0	+ 0		

* Does not include Temporary Hazard Pay Appropriation

JUD 601 ADMINISTRATION

PART I. VARIANCES IN EXPENDITURES AND POSITIONS

In FY 2024, position variances were the result of normal employee turnover, difficulties in recruiting candidates, and a carryover of the 2020 Legislature eliminating funding for vacant positions. The corresponding expenditure variance for the fiscal year is attributed to position vacancies and required lapses.

In the first quarter of FY 2025, the variance in the number of filled authorized positions is again a carryover from the FY 2024 difficulties in recruitment, as well as the inability to fill defunded positions. Expenditure variances are a result of contractual and other significant operational obligations that are incurred early in the fiscal year. The payment of these financial requirements in the first quarter results in the proportionately lower level of operating expenses projected for the remainder of the fiscal year. More positions are expected to be filled.

PART II. VARIANCES IN MEASURES OF EFFECTIVENESS

There are no significant variances to report.

PART III. VARIANCES IN PROGRAM SIZE INDICATORS

Item 5, Library Circulation, Transactions and Reference Use, was 39% less than estimated due to an overestimation from last fiscal year combined with Google analytics changing the way they tracked site activity.

Item 6, Library Patrons Served, was 21% more than estimated due to website users being included and an increase of patrons being served on the neighbor islands.